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Note by the President of the Security Council

The attached report of the Panel of Experts established by resolution 1306 (2000) was presented to the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone, in accordance with paragraph 19 of section B of resolution 1306 (2000). The report is being circulated for the information of the Members of the United Nations. Consideration of the report in the resolution 1132 (1997) Sanctions Committee is beginning, after which the Committee will officially present the report to the Security Council.

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Annex

Letter dated 19 December 2000 from the Chairman of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone addressed to the President of the Security Council

On behalf of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone, and in accordance with paragraph 19 of section B of resolution 1306 (2000), I have the honour to submit, as agreed at the 19th meeting of the Committee held today, the report of the Panel of Experts concerning the collection of information on possible violations of the measures imposed by paragraph 2 of resolution 1171 (1998) and the link between trade in diamonds and trade in arms and related *materiél* as well as the adequacy of air traffic control systems in the region.

In this connection, the Committee would appreciate it if this letter together with its enclosure were brought to the attention of the members of the Security Council and issued as a document of the Council.

(Signed) Anwarul Karim **Chowdhury**
Chairman
Security Council Committee established pursuant
to resolution 1132 (1997) concerning Sierra Leone

Enclosure

Letter dated 14 December 2000 from the Chairman and the members of the Panel of Experts on Sierra Leone Diamonds and Arms, appointed pursuant to Security Council resolution 1306 (2000), addressed to the Chairman of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone

On behalf of the members of the Panel of Experts on Sierra Leone Diamonds and Arms, I have the honour to enclose the report in accordance with paragraph 19 of section B of Security Council resolution 1306 (2000).

(Signed) Martin **Chungong Ayafor**
Chairman
Panel of Experts on Sierra Leone Diamonds and Arms
Security Council resolution 1306 (2000)

(Signed) Atabou **Bodian**

(Signed) Johan **Peleman**

(Signed) Harjit Singh **Sandhu**

(Signed) Ian **Smillie**

Report of the Panel of Experts appointed pursuant to Security Council resolution 1306 (2000), paragraph 19, in relation to Sierra Leone

December 2000

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Acronyms

AFRC	Armed Forces Revolutionary Council (Sierra Leone)
ASECNA	Agency for the Safety of Air Navigation in Africa and Madagascar
ATU	Anti-Terrorist Unit (Liberia)
CMRRD	Commission for the Management of Strategic Mineral Resources (Sierra Leone)
DDR	Disarmament, Demobilization and Rehabilitation Programme (Sierra Leone)
DRC	Democratic Republic of the Congo
ECOMOG	ECOWAS Monitoring Group
ECOWAS	Economic Community of West African States
FIR	Flight Information Region
GGDO	Government Gold and Diamond Office (Sierra Leone)
IATA	International Air Transport Association
ICAO	International Civil Aviation Organization
IWETS	International Weapons and Explosives Tracking System
LISCR	Liberian International Ship and Corporate Registry
LKI	Lazare Kaplan International
NPFL	National Patriotic Front of Liberia
PCASED	Programme for Coordination and Assistance for Security and Development
RPG	Rocket Propelled Grenade
RUF	Revolutionary United Front
RUFP	RUF Party
SITA	Société internationale de télécommunications aéronautiques
SLA	Sierra Leone Army
UNAMSIL	United Nations Mission in Sierra Leone
UNITA	Uniao Nacional para a Independencia Total de Angola
WCO	World Customs Organization

Executive summary

A. Diamonds

1. Diamonds have become an important resource for Sierra Leone's Revolutionary United Front (RUF) in sustaining and advancing its military ambitions. Estimates of the volume of RUF diamonds vary widely, from as little as $25 million per annum to as much as $125 million. Whatever the total, it represents a major and primary source of income for the RUF, and is more than enough to sustain its military activities.

2. A certain volume of RUF diamonds are traded in Kenema and elsewhere in Sierra Leone. These are most likely smuggled out of the country. Some RUF diamonds have also been traded informally in Guinea. But the bulk of the RUF diamonds leave Sierra Leone through Liberia. The diamonds are carried by RUF commanders and trusted Liberian couriers to Foya-Kama or Voinjama, and then to Monrovia. Such trade cannot be conducted without the permission and the involvement of Liberian government officials at the highest level. Very little Liberian trade, in fact, whether formal or informal, takes place without the knowledge and involvement of key government officials. This is true of all imports, and where exports are concerned, it is especially true of diamonds.

3. The Lomé Peace Agreement appointed Foday Sankoh Chairman of the Commission for the Management of Strategic Mineral Resources (CMRRD). Between the time he returned to Sierra Leone in 1999 and the resumption of hostilities in May 2000, the Commission never actually functioned, but Foday Sankoh spent money lavishly, without an obvious source of income. Sankoh was, in fact, encouraging a wide variety of potential foreign investors, many thinking they would reap exclusive benefits from the same things. A picture emerges of a double-dealing leader, clutching at financial opportunities for personal and political gain, outside of the governmental framework in which he was ostensibly working. Most of this related to the diamond trade.

4. The report comments on Sierra Leone's new certification system. Where the RUF's conflict diamonds are concerned, the legitimate export system is largely irrelevant. As long as there are no controls in neighbouring countries, the RUF will continue to move their diamonds out with impunity. For this reason, it is imperative that a standardized global certification scheme be introduced as soon as possible.

5. A major difficulty in tracking the movement of rough diamonds, whether conflict or otherwise, is the inconsistent manner in which the governments of major trading centres record diamond imports and exports. One issue has to do with the general availability of statistics. Another has to do with a distinction made between 'country of origin' and 'country of provenance'. Country of provenance refers to the country from which diamonds were last imported; country of origin indicates where they were mined. Until recently, little serious attention was paid anywhere to the issue of where diamonds were actually mined. The result is a wide range of anomalies. For example, 41 per cent of British rough diamond imports in 1999 were said to originate in Switzerland, while Switzerland officially imports almost no rough diamonds at all. This is a consequence of diamonds passing through Swiss free trade areas, until recently without record and without serious government oversight.

6. In its search for conflict diamonds from Sierra Leone, the Panel discovered that there is a much greater volume of 'illicit' diamonds, and that distinguishing between the two is extremely difficult. A large volume of diamonds entering Europe is disguised as Liberian, Guinean and Gambian in order to evade taxation and launder money. The report describes flagrant examples in Belgium of fraudulent commercial reporting. A country like Liberia, whose name has been used with or without its knowledge by illicit traders, can thus conceal its own very real trade in illicit and conflict diamonds behind larger rackets being perpetrated by others.

B. Recommendations on diamonds

7. In order to better regulate the flow of rough diamonds from producing countries, a global certification scheme based on the system now adopted in Sierra Leone is imperative. It will give added impetus to current discussions on this subject if the Security Council endorses the concept of a global system.

8. In the short run, and in the absence of a global system, it is recommended that certification systems similar to that adopted by Sierra Leone, be required of all diamond exporting countries in West Africa, with special and immediate reference to Guinea and Côte d'Ivoire, as a protective measure for their indigenous industries and to prevent their exposure to conflict diamonds. If this has not been completed within a period of six months, the Security Council should impose an international embargo on diamonds from these countries.

9. The Panel further recommends a complete embargo on all diamonds from Liberia until Liberia demonstrates convincingly that it is no longer involved in the trafficking of arms to, or diamonds from, Sierra Leone. The ban should not be lifted until this condition has been met, and until Liberia too has joined the proposed standardized certification system.

10. The Security Council should place an immediate embargo on trade in all so-called Gambian diamonds until such time as its exports of diamonds can be reconciled with imports.

11. Other diamond exporting countries in the region have been designated by the Belgian government as 'sensitive' countries, where special attention to imports is required. In addition to the three countries suffering directly from conflict diamonds and those mentioned above, these include Uganda, Central African Republic, Ghana, Namibia, Congo (Brazzaville), Mali, Zambia and Burkina Faso. This list is commended to other major importing countries, including Switzerland, South Africa, India, Israel, the United Kingdom and the United States. Invoices from these countries need to be thoroughly checked, and where there is doubt about either provenance or origin, parcels should be seized until the authorities have checked the facts. Delays in processing will increase the cost of doing business and will encourage better paper work. Forfeiture of improperly labelled goods will discourage the habit decisively.[1]

12. Urgent attention should be given to extending a Sierra Leone-style certification system to these countries as soon as possible.

13. The United Nations, the World Diamond Council and the import control authorities of all rough diamond importing countries should be vigilant for other exporting countries, or for countries in the future, where trade in diamonds has little to do with domestic production or legitimate trading.

14. It is essential, and a matter of urgency, that major trading centres (Belgium, the United Kingdom, Switzerland, South Africa, India, the United States and Israel) come to a common agreement on the recording and public documentation of rough diamond imports that is consistent from one country to another, and that clearly designates the country of origin in addition to country of provenance.

15. An annual statistical production report should be compiled by each exporting country and gathered into a central annual report, compiled by the World Diamond Council and/or by the certification body that is expected to emerge from the 'Kimberly Process' of intergovernmental negotiation. Countries of origin must be distinguished from countries of provenance.

16. If diamonds are mixed and/or re-invoiced in a free trade zone, it is imperative that the government of that country take responsibility for verifying the *bona fides* of the diamonds before they are re-exported. This is especially important with regard to Switzerland because of the large volumes that pass through its *Freiläger*, losing their identity in the process. The same is true of the United Arab Emirates. In other words, all countries importing rough diamonds must be part of the anticipated 'rough controls' system.

17. Throughout its work, the Panel was struck by the widespread breaking of Security Council sanctions on both weapons and diamonds. If existing and future sanctions are to be effective, the Security Council will require an ongoing capacity to monitor their observance and conduct research. Where diamonds are concerned, there have been three Expert Panels examining many of the same issues concurrently. There has been useful collaboration, but there has also been overlap and duplication. Considering the complexity and the changing nature of the conflict diamond issue the Panel recommends that in future, it would serve the Security Council better to have an ongoing focal point within the United Nations to monitor adherence to

[1] *Note*: the term 'sensitive country' is not used in this report to suggest wrongdoing. It is taken from a Belgian government report which seeks to protect these countries, Belgium and the industry from problems to which they are all clearly vulnerable. Namibia, for example, is one of the leaders in the fight against conflict diamonds.

sanctions, as well as progress towards the goals stated in the 1 December 2000 General Assembly resolution on conflict diamonds.

18. The attention of the Security Council, the Government of Sierra Leone, donor agencies and other interested parties is drawn to observations contained in the report about the need for probity and transparency. Without serious reform and due diligence within government and government agencies in Sierra Leone, international efforts to assist will be wasted.

C. Weapons and air traffic control

19. Despite an ECOWAS-Moratorium on arms shipments to West Africa, the region is awash with small arms. Guerrilla armies receive weapons through interlinked networks of traders, criminals and insurgents moving across borders. Systematic information on weapons smuggling in the region is non-existent, and information that could be used to combat the problem on a regional scale - through ECOWAS or through bilateral exchanges - is generally not available. Few States in the region have the resources or the infrastructure to tackle smuggling.

20. In Sierra Leone, the RUF depends almost exclusively on light weaponry, although it does have access to more sophisticated equipment. It has captured many weapons during confrontations with the Sierra Leone Army, ECOMOG and UNAMSIL forces. The Panel, however, found unequivocal and overwhelming evidence that Liberia has been actively supporting the RUF at all levels, in providing training, weapons and related *matériel*, logistical support, a staging ground for attacks and a safe haven for retreat and recuperation, and for public relations activities.

21. There is also conclusive evidence of supply lines to Liberia through Burkina Faso. Weapons supplied to Burkina Faso by governments or private arms merchants have been systematically diverted for use in the conflict in Sierra Leone. For example, a shipment of 68 tons of weapons arrived at Ouagadougou on 13 March 1999. They were temporarily off-loaded in Ouagadougou and some were trucked to Bobo Dioulasso. The bulk of them were then trans-shipped within a matter of days to Liberia. Most were flown aboard a BAC-111 owned by an Israeli businessman of Ukrainian origin, Leonid Minin. Details of the flights and dates are included in the report.

22. The role of aircraft in the RUF's supply chain is vital, especially over the past two years as their sphere of influence in Sierra Leone has widened. It is known that the RUF were supplied by helicopter on a sporadic basis before 1997, and on a regular basis since then. Helicopters originating in Liberia land at Buedu, Kailahun, Makeni, Yengema, Tumbudu and elsewhere in Kono District.

23. President Charles Taylor is actively involved in fuelling the violence in Sierra Leone, and many businessmen close to his inner-circle operate on an international scale, sourcing their weaponry mainly in eastern Europe. One key individual is a wealthy Lebanese businessman named Talal El-Ndine. El-Ndine is the inner-circle's paymaster. Liberians fighting in Sierra Leone alongside the RUF, and those bringing diamonds out of Sierra Leone are paid by him personally. The pilots and crew of the aircraft used for clandestine shipments into or out of Liberia are also paid by El-Ndine.

24. Regional air surveillance capacities are weak or totally inadequate in detecting, or in acting as a deterrent to the arms merchants supplying Liberia and the RUF. Weak airspace surveillance in the region in general, and abusive practices with regard to aircraft registration, create a climate in which arms traffickers operate with impunity.

25. Because of its lax licence and tax laws, Liberia has for many years been a flag of convenience for the fringe air cargo industry. Liberia also has lax maritime and aviation laws that provide the owners of ships and aircraft with maximum discretion and cover, and with minimal regulatory interference. A schedule of Liberian-registered aircraft provided to the Panel by the government listed only 7 planes. No documentation was available on more than 15 other aircraft identified by the Panel. Many aircraft flying under the Liberian flag, therefore, are apparently unknown to Liberian authorities, and are never inspected or seen in the country.

26. In November 1999, a Kenyan national named Sanjivan Ruprah was authorized by the Liberian Minister of Transport to act as the 'Global Civil Aviation agent worldwide' for the Liberian Civil Aviation Regulatory Authority, and to 'investigate and regularize the ... Liberian Civil Aviation register'. During its visit to Liberia the Panel asked the Transport Ministry, the Ministry of Justice and police authorities

about Ruprah and his work, but was told that he was not known to them. Ruprah is, in fact, a well-known weapons dealer. He travels using a Liberian diplomatic passport in the name of Samir M. Nasr, and carries additional authorization from the Liberian International Ship and Corporate Registry.

27. Victor Bout is a well-known supplier of embargoed non-State actors - in Angola, the Democratic Republic of the Congo and elsewhere. He oversees a complex network of over 50 planes and multiple cargo charter and freight-forwarding companies, many of which are involved in shipping illicit cargo. Bout has used the Liberian aviation register extensively, operating mainly out of the United Arab Emirates. Sharjah Airport is used as an 'airport of convenience' for planes registered in many other countries. One of Bout's aircraft, an Ilyushin 76, was used in July and August 2000 for arms deliveries from eastern Europe to Liberia. This aircraft and an Antonov made four deliveries, on 4 and 27 July, and 1 and 23 August 2000. The cargo included military helicopters, spare rotors, anti-tank and anti-aircraft systems, missiles, armoured vehicles, machine guns and ammunition.

28. It is difficult to conceal something the size of an Mi-17 military helicopter, and the supply of such items to Liberia cannot go undetected by customs authorities in originating countries unless there are false flight plans and end-user certificates, or unless customs officials at points of exit are paid to look the other way. The constant involvement of Bout's aircraft in arms shipments from eastern Europe into African war zones suggests the latter.

29. In addition, there have been few significant cases of aircraft with weapons being grounded at important fuelling points such as Cairo, Nairobi or Entebbe, or anywhere in West Africa. Although some countries have temporarily or permanently stopped aircraft registered in Liberia from entering their airspace, the Liberian register continues to be used fraudulently. The practice has clearly been organised from Liberia in cooperation with shrewd businessmen abroad, and Liberian-registered planes remain prominent in many African countries, particularly in countries at war.

30. In short, Liberia is actively breaking Security Council embargoes regarding weapons imports into its own territory and into Sierra Leone. It is being actively assisted by Burkina Faso. It is being tacitly assisted by countries allowing weapons to pass through or over their territory without question, and by those countries that provide a base for the aircraft used in such operations.

31. The report concludes with a full technical report on the adequacy of air traffic control and surveillance systems within the region.

D. Recommendations on weapons and air traffic control

32. The Panel strongly recommends that all aircraft operating with an EL-registration number and based at airports other than in Liberia, should be grounded immediately and until the provisions in the following recommendation are met. This includes planes based in Sharjah and other airports in the United Arab Emirates, in Congo (Brazzaville), in the Democratic Republic of the Congo, Gabon, Angola, Rwanda and Kenya. Airport authorities and operators of planes registered in Liberia over the past five years should be advised to keep all their documentation, log books, operating licences, way bills and cargo manifests for inspection.

33. It is further recommended that all operators of aircraft on the Liberian register, wherever they are based, be required to file their airworthiness and operating licences and their insurance documents with the International Civil Aviation Organization's headquarters in Montreal, Canada, including documentation on inspections carried out during the past five years. The aircraft of all operators failing to do so should be grounded permanently. Aircraft that do not meet ICAO standards should be grounded permanently.

34. The Security Council, through ICAO, IATA and the WCO should create a centralized information bulletin, making the list of grounded Liberian aircraft known to all airports in the world.

35. Burkina Faso has recently recommended that the Security Council supervise a proposed mechanism that would monitor all arms imports into its territory, and their use, for a period of three years. The Panel endorses this proposal. The Panel also recommends that under such a mechanism, all imports of weapons and related *matériel* into Burkina Faso over the past five years be investigated. The Panel further recommends that any State having exported weapons during this period to Burkina Faso should investigate

the actual end-use of these weapons, and report their findings to the Security Council and to the Programme for Coordination and Assistance for Security and Development (PCASED) established under the ECOWAS Moratorium.

36. In view of the sanctions-breaking cases investigated by the Panel and the information gathered in the region, it is recommended that the Security Council encourage the reinforcement of the ECOWAS Programme for Coordination and Assistance for Security and Development (PCASED) with support from Interpol and the World Customs Organization. PCASED should have an active capacity to monitor compliance with arms embargoes and the circulation of illicit weapons in the region.

37. The Security Council should encourage ECOWAS member States to enter into binding bilateral arrangements between States with common frontier zones, to initiate an effective, common and internationally agreed system of control that includes the recording, licensing, collection and destruction of small arms and light weapons. These bilateral arrangements can be promoted and facilitated through ECOWAS and through the Programme for Coordination and Assistance for Security and Development. A common standard and the management of a database on significant cases of smuggling and sanctions busting in the region could be developed by Interpol. The IWETS (International Weapons and Explosives Tracking System) programme of Interpol could be used by all States and the United Nations for the purpose of tracking the origin of the weaponry.

38. In this report, the Panel has identified certain arms brokers and intermediaries responsible for supplying weapons to the RUF. A project should be developed to profile these arms brokers with the cooperation of Interpol. Similarly, considering the importance of air transport in the sanctions busting, profiles of major cargo companies involved in such practices should be developed, with a view to exploring ways and means of further strengthening the implementation of sanctions.

39. Responsibility for the flood of weapons into West Africa lies with producing countries as well as those that trans-ship and use them. The Security Council must find ways of restricting the export of weapons, especially from eastern Europe, into conflict areas under regional or United Nations embargoes. 'Naming and shaming' is a first step, but consideration could be given to placing an embargo on weapons exports from specific producer countries, just as diamonds have been embargoed from producer countries, until internationally acceptable certification schemes have been developed.

40. An analysis of the firearms recovered from rebels should be undertaken in cooperation with Interpol, and its International Weapons and Explosives Tracking System. This would help in further identifying those involved in the RUF supply line.

41. The World Customs Organization should be asked to share with the Security Council its views on creating adequate measures for better monitoring and detection of weapons or related *matériel* to non-State actors or countries under an arms embargo.

42. Current Security Council arms embargoes should be amended to include a clear ban on the provision of military and paramilitary training.

43. Countries in West Africa that have not signed the 1989 United Nations Convention on the Recruitment, Use, Training and Financing of Mercenaries should be encouraged to do so.

44. Consideration should be given to the development of special training programmes on sanctions monitoring for national law enforcement and security agencies, as well as airport and customs personnel in West Africa, and the development of a manual or manuals on the monitoring of sanctions at airports for worldwide use by airport authorities and law enforcement services.

45. Consideration should be given to placing specialized United Nations monitors at major airports in the region (and perhaps further afield), focusing on sensitive areas and coordinating their findings with other airports. This would enable better identification of suspect aircraft. It would also create a deterrent against illicit trafficking, and would generate the information needed to identify planes, owners and operators violating United Nations sanctions and arms embargoes.

46. The Security Council should consider ways in which air traffic control and surveillance in West Africa can be improved, with a view to curtailing the illicit movement of weapons. Possibilities include:

- encouraging the installation of primary radar at all major West African airports, and finding the financial support to do so. Only primary radar can independently detect the movement of aircraft;
- an alternative could be 'pseudo radar' which creates a radar environment with the use of powerful means of transmission of air/ground data through satellite;
- requiring the use in the region of a Global Positioning System and requiring aircraft to be equipped with the appropriate avionics, with installation of the corresponding equipment on the ground. This would entail requiring aircraft flying in West Africa to have on board or to be equipped with avionics which could enable controllers on the ground to identify any traffic, anywhere and at any time in their sector;
- encouraging ICAO and other interested agencies to assist states in reinforcing the financial autonomy of bodies established for the management of air navigation services.

Other recommendations

47. In this report, the Panel makes a variety of specific recommendations that deal with diamonds, weapons and the use of aircraft for sanctions-busting and the movement of illicit weapons. Many of these recommendations and the problems they address are related to the primary supporter of the RUF, Liberia - its President, its government and the individuals and companies it does business with. The Panel notes with concern that Security Council resolutions on diamonds and weapons are being broken with impunity. In addition to the foregoing, the Panel offers the following recommendations with a view to making the message of this report more clear, and to ensuring that there is better follow-up to Security Council decisions in future.

48. A travel ban similar to that already imposed on senior Liberian officials and diplomats by the United States should be considered for application by all United Nations member nations until such time as Liberia's support to the RUF and its breaking of other United Nations sanctions ends conclusively.

49. The principals in Liberia's timber industry are involved in a variety of illicit activities, and large amounts of the proceeds are used to pay for extrabudgetary activities, including the acquisition of weapons. Consideration should be given to placing a temporary embargo on Liberian timber exports, until Liberia demonstrates convincingly that it is no longer involved in the trafficking of arms to, or diamonds from, Sierra Leone.

50. Consideration should be given to creating capacity within the United Nations Secretariat for ongoing monitoring of Security Council sanctions and embargoes. This is imperative to the building of an in-house knowledge base on current issues such as conflict diamonds, as noted in paragraph 17 above, but it is even more important to creating greater awareness of, and capacity to deal with problems, which are not likely to be solved in the near future, such as the illicit trade in weapons and related *matériel*.

Introduction

A. General

51. On 2 August 2000, in reference to Security Council resolution 1306 (2000) concerning Sierra Leone, adopted by the Council on 5 July 2000, the Secretary-General of the United Nations appointed a Panel of Experts to collect information on possible violations of the measures imposed by paragraph 2 of resolution 1171 (1998) and the link between trade in diamonds and trade in arms and related *matériel*, and to consider the adequacy of air traffic control systems in the region.

52. Paragraph 2 of resolution 1171 (1998) states that

> The Security Council ... decides, with a view to prohibiting the sale and supply of arms and related matériel to non-governmental forces in Sierra Leone, that all States shall prevent the sale or supply, by their nations or from their territories, or using their flag vessels or aircraft, of arms and related *matériel* of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, to Sierra Leone other than to the Government of Sierra Leone through named points of entry on a list to be supplied by that Government to the Secretary-General who shall then promptly notify all Member States of the United Nations of the list.

53. In connection with this resolution, the Panel took cognizance of paragraph 8 of Security Council resolution 788 (1992), which remains in force:

> The Security Council ... decides, under Chapter VII of the Charter of the United Nations, that all States shall, for the purposes of establishing peace and stability in Liberia, immediately implement a general and complete embargo on all deliveries of weapons and military equipment to Liberia until the Security Council decides otherwise.

54. The Panel also noted paragraphs 1 to 7 of Security Council resolution 1306 (2000), which dealt with the issue of Sierra Leone's diamonds, and in which the Security Council decided that 'all States shall take the necessary measures to prohibit the direct or indirect import of all rough diamonds from Sierra Leone to their territory'.

55. On 6 October 2000, the Chairman of the Sierra Leone Sanctions Committee informed the President of the Security Council that his Committee had agreed to exempt the export of diamonds controlled by the Government of Sierra Leone through a new Certificate of Origin regime from the measures imposed by paragraph 1 of the resolution.

56. The Panel of Experts consisted of Mr. Martin Chungong Ayafor (Cameroon - Chairman), Mr. Atabou Bodian (Senegal - Expert from the International Civil Aviation Organization), Mr. Johan Peleman (Belgium - Arms and Transportation Expert), Mr. Harjit S. Sandhu (India - Expert from Interpol), and Mr. Ian Smillie (Canada - Diamond Expert). The letter appointing the Panel is included in annex 1.

57. The Panel first met at United Nations Headquarters in New York on 21 August, and it was subsequently agreed with the Security Council Sanctions Committee on Sierra Leone that its report would be submitted on 8 December 2000. This was subsequently rescheduled to mid-December 2000.

B. The work of the panel

58. The Panel received a great deal of logistical and moral support from the United Nations Secretariat, from United Nations Resident Coordinators and UNDP officials in almost every country it visited. Many governments helped with detailed information and advice, and many individuals and companies in the diamond industry provided helpful information. The Security Council exploratory hearings on Sierra Leone diamonds held in New York on 31 July and 1 August 2000 were also very helpful in setting the stage for the Panel.

59. The Panel was able to coordinate some of its work with the concurrent Angola Panel. In addition, Panel members were able to attend an important intergovernmental conference on conflict diamonds held in Pretoria in September 2000.

60. The Panel travelled widely to countries involved in the diamond trade, and to countries involved, or said to be involved in the trafficking of weapons and related

matériel to Sierra Leone in contravention of Security Council embargoes. The entire panel visited Sierra Leone twice, and some Panel members visited three times. In addition to Freetown, trips were made to Daru and to the diamond trading centre of Kenema. In Guinea, Panel members visited Conakry and Nzerekore. The entire Panel also visited Liberia, South Africa and United Nations Headquarters in New York. Travel was undertaken by one or several of the Panel members to Belgium, Burkina Faso, Canada, Ghana, France, India, Israel, Mali, Niger, Nigeria, Spain, Switzerland, Ukraine, the United Kingdom, the United States and the United Arab Emirates. Stopover visits were made to Abidjan, but because of elections and subsequent civil unrest, only a limited number of telephone conversations were possible.

61. In each country Panel members met with government authorities, and where relevant, with diplomatic missions, civil society organizations, aid agencies, private sector firms and journalists. The Panel had access to a wide range of public and confidential information provided by official sources, including law enforcement and intelligence agencies. The Panel also contacted a number of key individuals and informants whose names have been a subject of interest and controversy in recent months in connection with the Sierra Leone crisis. A full list of those contacted is contained in annex 2. Given the sensitive nature of the subjects investigated by the Panel, however, it should be noted that many individuals spoke under conditions of confidentiality. Several meetings held in various countries have therefore not been listed.

62. In August 2000, the Panel requested detailed statistics dating back to 1987 on diamond exports from major producing countries, and imports to countries with significant trading, cutting and polishing industries. The reason for going back to 1987 was to determine what trends might have prevailed before the wars in Sierra Leone and Liberia. In September, the Panel sent reminders to all governments that had not yet provided the requested statistics. In the end, most of the data requested was provided by most governments. Three exceptions stand out, despite reminders: no statistics were received from the Gambia, Côte d'Ivoire and the United Arab Emirates.

C. Standards of verification

63. The Panel agreed at the outset of its work to use high evidentiary standards in its investigations. This required at least two credible and independent sources of information to substantiate a finding. Wherever possible, the Panel also agreed to put allegations to those concerned in order to allow them the right of reply. In the past, allegations against various parties to the conflict in Sierra Leone have been denied with the question, 'Where is the evidence?' An example of this is the standard response to charges that weapons have been channelled to Liberia through Burkina Faso. In the report that follows, we have dealt in detail with this particular allegation. It might still be asked, 'Where is the evidence?' On this charge and others, full details of the sources will not be revealed, but the evidence is incontrovertible. The Panel examined the flight records maintained at the offices of Roberts Flight Information Region (FIR) in Conakry for all aircraft movement in West Africa during the period in question. It saw photographs of the aircraft being loaded in Burkina Faso. It examined flight plans. It spoke to eyewitnesses of aircraft movement in Burkina Faso and Liberia, and it spoke to individuals who were on board the aircraft in question. In addition to its own detailed verification, the Panel received corroborating information from international intelligence agencies and police sources operating at international as well as national levels. The assistance of Interpol specialists was also taken as and when required. This is an example of one of the more difficult issues examined by the Panel. All issues have been judged and reported using the same standard.

D. A reminder

64. The Panel's mandate is described in section A above. The Panel was reminded of the background to its mandate, however, during its visits to Sierra Leone. There, thousands of civilians, many of them child victims of unspeakable brutality, face a future without hands or feet. Tens of thousands of Sierra Leoneans have lost their lives, half a million have become refugees and three or four times that number has been displaced. As the Panel concluded its report, much of Sierra Leone remained in rebel hands, where people lived without access to medical assistance, education or the means to a secure livelihood. The Panel remained cognizant, throughout its work, of its role and its responsibility in helping to end the suffering of the people of Sierra Leone, and this decade-long tragedy.

Part one
Diamonds

I. Sierra Leone diamonds

A. Background

65. Each year, over 250 million carats of diamonds are mined worldwide. Even in its peak years of production during the 1960s, Sierra Leone never produced more than 2 million carats annually. But a high proportion of Sierra Leone's diamonds are gemstones of very high quality and value, and they are much sought after. During the 1970s and 1980s the Sierra Leone diamond industry fell prey to corruption and mismanagement and many of the country's diamonds were exported illegally. Between 1992 and 1996, average annual exports were less than 200,000 carats and the per carat value was significantly less than the country's known run-of-mine average. Not only were the bulk of the country's diamonds being smuggled out, but the emphasis in smuggling seemed to be on higher value diamonds.

66. Between 1997 and 1999 the situation worsened because of the war. In those three years a total of only 36,384 carats were exported officially.

B. Diamonds in the RUF

67. The Revolutionary United Front initiated the war in 1991. Until 1995, RUF diamond mining and digging was probably done on a sporadic and individual basis. By 1995, however, the RUF and its patrons were clearly taking a much greater interest in the diamond fields of Kono District, and had to be removed forcefully at that time by the private military company, Executive Outcomes. From then on, the RUF interest in diamonds became more focused, especially with the 1997 imprisonment of Foday Sankoh in Nigeria. During his imprisonment and subsequently, the diamond areas of Kono and Tongo Field became a primary military focus of the RUF, and diamond mining became a major fund-raising exercise.

68. This finding is supported by the tenacious military hold that the RUF has maintained on Kono District and Tongo Field, the two most valuable diamond areas in Sierra Leone. It is borne out in the written and oral testimony of current and past RUF leaders. It is supported by the testimony of Chiefs and elders from Kono District who are in daily communication with travellers from their areas. It is borne out in written reports made by RUF field commanders to Foday Sankoh. And it is supported by current internal communications between RUF leaders inside Sierra Leone, and between RUF leaders in Sierra Leone and in Liberia.

69. At first, RUF fighters did their own mining, or used forced labour. More recently they have developed a modified form of forced labour, allowing local diggers to keep a certain amount of what they find. One system is to make a group of diggers work for the RUF for four days, and allow them to work for themselves for two, with one day off. More common is what is known as the 'two pile system', in which diggers create one pile of diamondiferous gravel for the RUF and another for themselves. The idea is that diggers can then retain what they find in their own pile, although all the washing is watched, and any sizeable diamonds found in a digger's pile are also taken by the RUF.

70. Once the Kono diamond fields were secured by the RUF, they created a mining unit under 'Lt. Col. Kennedy'. The RUF have since organized something they refer to today as 'RUFP Mining Ltd.' As of October 2000, the 'Chairman' was 'Lt. Col. Abdul Razak' and the Deputy Chairman was 'Lt. Col. Victor'.

71. In addition to being a source of revenue, diamonds have also been a source of constant friction and confusion within the RUF. In 1999, Sam 'Mosquito' Bockarie, a former diamond digger who became the RUF's 'Battle Group Commander' and 'High Command', complained to Foday Sankoh that during the AFRC/RUF 'marriage' in 1997[2] Dennis Mingo ('Col. Superman') had sold a diamond to a Lebanese businessman. A portion of the proceeds had gone to the AFRC government and the balance, Le

[2] Following a coup in May 1997, the Armed Forces Revolutionary Council, headed by Johnny Paul Koroma took power. The AFRC invited the RUF to share power with them. A period of violence and anarchy ensued. In February 1999 the West African peacekeeping force, ECOMOG, forced the AFRC from power and returned Tejan Kabbah to the Presidency.

9 million, was intended for the RUF. Instead, however, Superman embezzled the money, according to Bockarie. (A list of RUF leaders and their pseudonyms is included as annex 3.)

72. Late in 1998, after the AFRC had been forced out of Freetown by ECOMOG, RUF forces led by Issa Sesay and under orders from Sam Bockarie (then referred to as Chief of Defence Staff for both the RUF and the AFRC), undertook a mission to move former AFRC Chairman Johnny Paul Koroma to the safety of RUF headquarters in Buedu. While they were there, Sesay discovered that Koroma was in possession of a parcel of diamonds, and that he was planning to escape to Ghana with his family. Sesay and Brigadier Mike Lamin confronted Koroma, finding it hard to believe that while they were trying to regroup, Koroma would keep diamonds for his own use and flee, leaving them with a problem he had created. The diamonds were subsequently handed over to the RUF leadership. According to internal RUF reports, the diamonds were then given to Ibrahim Bah and 'Sister Memuna' and taken to Liberian President Charles Taylor.

73. The name of 'Ibrahim Bah' arises frequently in the RUF diamond story. He is said to be a Burkinabe military officer. He is also known as Ibrahima Baldé and Baldé Ibrahima. He was a key player in the RUF-AFRC axis, and has been instrumental in the movement of RUF diamonds from Sierra Leone into Liberia and from there to Burkina Faso.

74. Issa Sesay, the current RUF leader, has had his own problems with diamonds. Late in 1998, Captain Michael Comber of the RUF Mining Unit brought a parcel of diamonds from Kono to the RUF headquarters at Buedu. Sam Bockarie gave the diamonds to Sesay who took them to Liberia where he was to meet Ibrahim Bah. Together they were then to meet a business associate of Foday Sankoh to make arrangements for the procurement of military equipment. Sesay lost the diamonds somewhere in Liberia, claiming he had accidentally dropped the parcel in the mud. This led to a major contretemps between Sesay and Bockarie, although Sesay was eventually forgiven.

75. Dennis 'Superman' Mingo, however, still smarting over the allegation that he had embezzled Le 9 million from a 1997 diamond sale, played up Sesay's loss, fomenting contention within the RUF ranks. In October 1999, he wrote to Foday Sankoh from Liberia, warning him that Sam Bockarie could not be trusted and that Sankoh's life was in danger. He also said that Bockarie and his men had been squandering funds from diamond sales and that Bockarie had bought a house in Liberia and one in France.

76. Shortly thereafter, a military confrontation occurred between forces loyal to Foday Sankoh and those loyal to Sam Bockarie. Several combatants were killed. Sam Bockarie subsequently went into exile in Liberia, where he remains close to President Charles Taylor.

77. Diamonds continue to cause friction. In September 2000, a dispute arose between Lt. Col. Victor, the Deputy Chairman of RUFP Mining Ltd. and some of his associates: Major Bob Vandy, Staff Captain Koroma and Major Morry Gebaru. RUFP Mining Chairman Abdul Razak undertook an investigation, which uncovered stories of diamond embezzlement by 'Capt. Prince Khan' and others who were in conflict with the Deputy Chairman, including 'Lt. Col. Mustafa Sherrif'. This in turn raised the concern of Issa Sesay, who was at the time carrying out a wider investigation into all RUF financial affairs in Liberia.

C. Estimated volume of diamonds mined by the RUF

78. Estimates of the volume of diamonds mined by the RUF vary widely, from as little as $25 million per annum to as much as $125 million. De Beers has estimated that the total was likely $70 million in 1999. Part of the difficulty in estimating what is available to the RUF is the fact that years of illicit mining and export have served to reduce all official historical production figures, providing no reliable statistics for at least two decades on what has actually been mined in Sierra Leone. In the late 1960s, Sierra Leone exported 2 million carats per annum. The RUF holds the richest diamond areas in the country. If 1999 RUF production was one eighth of Sierra Leone's best year (i.e. 250,000 carats), the value would be upwards of $50 million. If it was half of the official average exports in the early 1990s (i.e. 100,000 carats), it would be in the neighbourhood of $20 million.

79. There are arguments in favour of lower estimates: the RUF does not have access to heavy equipment and is thus limited to artisanal mining; many former RUF combatants today live very modest lives and say they

never saw diamonds. Arguments favouring higher estimates include the fact that the RUF has been able to support 3,500-5,000 armed combatants and as many camp followers for several years, and internal RUF communications regularly refer to the importance of diamonds. Knowledgeable diamantaires believe that a very high proportion of the diamonds being exported from the Gambia (which mines no diamonds of its own) originate in Sierra Leone, some travelling there via a third country such as Liberia. Imports into Belgium of 'Gambian' rough averaged over $100 million per annum between 1996 and 1999.

80. While the total generated by the RUF, whether it is $25 million, $70 million or $125 million, is very small in relation to the global annual output of diamonds, it nevertheless represents a major and primary source of income to the RUF, and is more than enough to sustain its military effort.

D. How the RUF move diamonds out of Sierra Leone

81. Diamonds have always been smuggled out of Sierra Leone, the bulk through Liberia. This historical fact is not in dispute. There have been a variety of reasons for smuggling: to avoid taxes; to avoid the higher cost of corruption in one country over another; to gain access to hard currency; to launder money. Historically, Liberia was the route of choice primarily because of its use of the United States dollar as its official currency. Other diamonds found their way to Guinea where they would more likely have been traded for rice and other foodstuffs. And diamonds also travelled further afield to other countries in the region, carried by Madingo and Senegalese traders, known as marakas.

82. Some RUF diamonds have been traded in Guinea. There are reports of one-off deals in which RUF commanders have traded diamonds for supplies, and sometimes for weapons, dealing with individual, mid-level Guinean military officers acting on their own account. One such arrangement in mid-2000 is said to have gone sour, resulting in an RUF attack on the Guinean border town of Pamelap when promised Guinean supplies were not forthcoming. There is no evidence, however, of any official Guinean collusion in such trade.

83. A certain volume of RUF diamonds are being traded in Kenema and elsewhere in Sierra Leone. It is an open secret that RUF traders bring diamonds to Kenema from Tongo Field, only 28 miles away, on a regular basis, and exchange them for food and other supplies. This would account for the continued presence in Kenema of more than 40 separate diamond dealers, many of them Lebanese, even though their main source of supply has officially been out of reach for several years. It is possible that these diamonds could enter the official export system if there is a lack of probity and vigilance in the Government Gold and Diamond Office (GGDO), the Ministry of Mineral Resources and its branches.

84. It is more likely, however, that these diamonds are being smuggled out to neighbouring countries. Many of Sierra Leone's diamond dealers are also major importers of food and consumer goods. The steep mark-up on these goods yields high profits which require a hard currency or its equivalent in order to be repatriated. Diamonds serve this purpose. Many prominent exporters from Sierra Leone are also exporters of diamonds from the Gambia, a country that produces no diamonds at all.

85. As noted in paragraphs 67 through 77, however, the bulk of the RUF trade in diamonds leaves Sierra Leone through Liberia. The diamonds are carried by RUF commanders and trusted Liberian couriers to Foya-Kama or Voinjama, and then to Monrovia.

86. A Liberian is said to be President Taylor's representative in Kono, with a mandate to supervise diamond operations. On the RUF side, during much of 1998, Dennis 'Superman' Mingo was in charge of the diamond operations in Kono. He regularly took diamonds to the RUF headquarters at Buedu and from there they were transferred to Liberia. At various times, diamonds were taken to Monrovia by Eddie Kaneh, Sam Bockarie and Issa Sesay. As noted in paragraphs 71 to 77, there have been frequent disputes over the diamonds, and RUF couriers travel in fear of being robbed by rogue Liberian NPFL (National Patriotic Front of Liberia) fighters. At RUF headquarters in Buedu, concerns have occasionally arisen that diamonds said to be held in safekeeping by President Taylor might actually have been sold. On one occasion in 1998, Sam Bockarie went to Monrovia to see Taylor about this concern, and when he returned, he reported that he had seen the diamonds.

87. Because of time constraints, the Panel could not go into the details of ways and means through which RUF diamonds are moved out of Liberia, however there is sufficient evidence to prove that this trade cannot be conducted in Liberia without the permission and the involvement of government officials at the highest level. In Liberia, uncorroborated stories refer to high-level go-betweens, senior government officials, and financial transactions made in Burkina Faso, South Africa, the United States and Lebanon. (This subject is covered from a different perspective in the Liberia case study, below.)

88. Liberian officials thrive on their country's reputation for weak administration, its crippled infrastructure and its 'porous border'. In fact, however, very little trade, whether formal or informal, takes place without the knowledge and involvement of key government officials. This is true of all imports, and where exports are concerned, it is especially true of diamonds and timber. Liberia's own official diamond exports were said to be only 8,500 carats in 1999, valued at $900,000.[3] Liberia's Minister of Lands, Mines and Energy estimates that this represents only 20 per cent of what is actually leaving the country, and the Ministry of Revenue suggests that it might be as little as 10 per cent of the total.

89. In a country where most of the diamond traders are foreigners and where the movement of foreigners, money and supplies is as carefully watched, as is the case in Liberia, it is not conceivable that so much of Liberia's own diamond production could avoid the detection of government. Nor is it conceivable that the significantly greater volumes of high-value Sierra Leone diamonds moving through Liberia could avoid detection by government.

E. Foday Sankoh's post-Lomé diamond business

90. The Lomé Peace Agreement appointed Foday Sankoh Chairman of a Commission for the Management of Strategic Mineral Resources (CMRRD). Between the time Foday Sankoh returned to Sierra Leone late in 1999 and the resumption of hostilities in May 2000, members of the Commission never actually met, and the Commission did not function. During his time in Freetown, Foday Sankoh spent money lavishly, although he had no obvious source of income. He imported vehicles, satellite phones and other expensive equipment.

91. In 1999, before Foday Sankoh's appearance in Freetown, Sam Bockarie wrote a 'To Whom It May Concern' letter on RUF stationery, appointing Mohamed Hijazi, a long-time diamond miner and dealer, as the RUF's agent 'to negotiate with any person or company within or outside S/Leone for the prospecting, mining, buying and selling of diamonds'.

92. After his arrival in Freetown, Foday Sankoh signed numerous agreements with international business firms and solicited financial favours from others making enquiries in his own name, in the name of the Commission, and in the name of the RUF. His own business files, found in his office after the May 2000 resumption of hostilities, contain correspondence relating to business opportunities he was actively promoting.

93. In November 1999, for example, Foday Sankoh received a visit from Chudi Izegbu, President of the Integrated Group of Companies based in McLean, Virginia. Izegbu had chartered an aircraft to Freetown from Abidjan, and together he and Sankoh discussed a range of investment possibilities for the Integrated Group, which includes a company called Integrated Mining, registered in the Cayman Islands. They discussed possible investments in civilian aircraft services, petroleum imports and a major investment in the Koidu diamond kimberlites. Subsequently, Izegbu and Sankoh exchanged correspondence about 'negotiations and discussions currently going on in the interest of the RUFP'. And they exchanged test messages in a code which would allow them to disguise names - words like 'diamonds' and 'gold', and expressions such as 'everything is OK', and 'things are bad'. In December 1999, Sankoh ordered 14 vehicles from Izegbu with the logo of the RUF Party painted on the side of each.

94. In March 2000, Damian Gagnon of the U.S. company, Lazare Kaplan International (LKI), visited Foday Sankoh, and in a subsequent letter to Sankoh, LKI Chairman Maurice Tempelsman said that Gagnon had reported 'a commonality of views between you and this company on the possibilities of LKI re-entering the

[3] Liberia's estimated production capacity varies between 100,000 and 150,000 carats per annum. In 1988 and 1989, Liberia officially exported approximately 150,000 carats, valued at an average of $8.7 million per annum.

Sierra Leone diamond business in a manner beneficial to all the people of that country as well as our company'.

95. Much of the correspondence suggests that Sankoh was encouraging a wide variety of potential investors, many thinking they would reap exclusive benefits from the same things. One much-circulated April 2000 letter from 'Michel' to 'The Leader' talks about how Sankoh should try to get all of the diamonds mined in Kono, rather than the 10 per cent which the author said was the case - the rest being filtered off to Liberia. 'Michel' proposed that his Belgian partner 'Charles' could hire a private jet to take the diamonds out directly from Kono, avoiding 'the Lebanese' and Monrovia - 'We cannot trust those people', he wrote.

96. Michel Desaedeleer, a U.S.-based, self-employed Belgian, made contact with the RUF in Togo during the summer of 1999 while he was doing business with the son of President Eyadema. By October, he and John Caldwell, President of the Washington-based U.S. Trading & Investment Company, had worked up an arrangement with Foday Sankoh which would give them authority to broker rights to all of Sierra Leone's diamond and gold resources for a ten-year period. Although refused a visa by Sierra Leone's U.S. embassy, Caldwell and Desaedeleer went to Sierra Leone and Liberia anyway, and signed the agreement between Desaedeleer's BECA Company and the RUF (not with the Government of Sierra Leone or the Commission for the Management of Strategic Mineral Resources). While they were in Liberia, Desaedeleer was given diamonds by Ibrahim Bah (a.k.a. Ibrahima Baldé), which Desaedeleer later discovered in Antwerp were worth much less than he had been told. He also claimed to have been shown 'perhaps hundreds' of diamonds by Sankoh's wife, Fatou, during a 1999 meeting in New York.

97. In February 2000, Foday Sankoh, his wife and other RUF officials travelled to South Africa. Sankoh was in contravention of a United Nations travel ban prohibiting him from leaving Sierra Leone. The trip was sponsored and partially financed by South African businessman Raymond Kramer, who earlier the same month had signed an agreement with Sankoh to 'represent the Commission [the CMRRD, of which Sankoh was Chairman] in all areas relating to mining and mineral resources, including but not limited to strategic minerals and precious stones'. When Sankoh's presence in South Africa was made public, he was forced to return to Sierra Leone and curtail his dealings with Kramer. Fatou Sankoh, who travels on a U.S. passport, visited South Africa again in May 2000, and was again deported.

98. The correspondence presents an image of a double-dealing Leader, clutching at financial opportunities for personal and political gain, outside of the governmental framework in which he was ostensibly working. Much of this related to the diamond trade. It also suggests dissension within the RUF ranks, and an attempt by Sankoh to gain control over diamonds that remained effectively in the hands of his fractious field commanders and their Liberian mentors.

F. Sierra Leone's new diamond certification system

99. By resolution 1306 (2000) adopted on 5 July 2000, the Security Council imposed an embargo on the direct and indirect import of rough diamonds from Sierra Leone until a new mining, export and monitoring regime could be developed. With technical assistance from Belgium's Diamond High Council and financial assistance from the United Kingdom and the United States, a certificate of origin system was developed between July and October 2000, including a numbered confirmation certificate printed on security paper, new detailed electronic databases of exports with electronic confirmation at destination, and electronic transmission of digital photographs of the packages being exported.

100. In October, after considering the new measures and ensuring that information about them had been disseminated to importing countries, the Security Council lifted the embargo on official Sierra Leone exports. The first diamonds exported under the new arrangements reached Antwerp at the end of October.

101. The embargo and the new certification system were peripheral to the mandate of the Panel, but during our travel it was the subject of much discussion in Sierra Leone, in other African exporting countries, and in all the major diamond importing centres.

102. The new system is indeed foolproof once diamonds enter the formal system. It will be important for Sierra Leone's Government Gold and Diamond Office to ensure, therefore, that only diamonds mined in government-controlled areas are actually certified.

This is especially important, given efforts by the RUF to trade diamonds for food and other supplies in Kenema (see also paragraph 83 above).

103. It is perhaps more important to consider the value of the system beyond conflict diamonds, once the war ends. Then the issue for Sierra Leone will focus more on smuggling and other forms of illicit behaviour. In the end, the certification system can only work to its fullest potential if the government is willing and able to track and audit dealers in Sierra Leone, and if it is able to develop systems of support for the artisanal miners who, for the better part of 50 years, have worked outside the diamond industry.

104. There is more to be said about the certification scheme, however. There was never a serious problem with diamonds being exported officially from Sierra Leone. The problem was the illicit and conflict diamonds which avoided the formal system. In 1999, Sierra Leone officially exported only 9,320 carats, a demonstration, if one was needed, that the formal system was being ignored by the RUF and smugglers. This had changed in the first half of 2000, when concern about the country's conflict diamonds was noted in the world press and in diamond-buying centres. The consequence was a sudden influx of diamonds into the formal system, offered by dealers wanting at last to 'go straight' and avoid charges of illicit trading. While the 26,300 carats exported officially during this period did not represent a landslide, it was a significant step in the right direction.

105. The United Nations embargo effectively stopped this legitimizing trend for several months, and pushed traders back into their old and time-tested smuggling routes. Because there was no embargo on diamonds from any of Sierra Leone's neighbouring countries, the ban actually punished the victim and rewarded its enemies. This has now changed, and it is to be hoped that the new system will attract a significant volume of diamonds back into legitimate channels.

106. Where the RUF's conflict diamonds are concerned, the legitimate export system, whether it was foolproof or not, was irrelevant, and it will remain so. As long as there are no controls in neighbouring countries, the RUF will continue to be able to move their diamonds out with impunity.

107. For this reason, it is imperative that a standardized global certification scheme be introduced as soon as possible. The issue of conflict diamonds has now been addressed at four intergovernmental meetings in the 'Kimberley Process' and at a further meeting in London in October 2000. On 1 December 2000, the General Assembly passed a resolution on the role of diamonds in fuelling conflict (A/RES/55/56), and expressed 'the need to give urgent and careful consideration to ... the creation and implementation of a simple and workable international certification scheme for rough diamonds'. The resolution stated that this scheme should meet internationally agreed minimum standards, it should secure the widest possible participation, and that diamond exporting, processing and importing States should act in concert. The resolution also noted the need for transparency and for arrangements to help ensure compliance.

108. This resolution is strongly endorsed by the Panel. It is a major step forward in recognizing the need for what the diamond industry calls 'rough controls'. If implemented, it could go a long way in solving some of the problems identified in this report. The Government of Namibia will convene a workshop early in 2001 to consider technical aspects pertaining to the envisaged certification scheme. The Panel very much welcomes the Namibian offer to help move the process forward.

109. The Panel notes with concern, however, that some governments and some members of the industry may be approaching the idea of international 'rough controls' with reluctance or antipathy, urging a minimalist approach and a lengthy period of study and negotiation. The Panel believes that any international system must be developed carefully, and that it must be appropriate to the need. But the Panel is in no doubt about the urgency or the importance of the proposal. Despite all the meetings of the past year, despite the work of the United Nations and many governments, the wars in Sierra Leone, Angola and the Democratic Republic of the Congo continue; diamonds continue to serve as fuel for these wars and as a catalyst for the continuing misery of hundreds of thousands of people.

Case study: diamond identification and certification

A diamantaire in London showed the Panel six diamonds, for which the owner was asking $1 million. The diamonds had been brought to London on approval from Antwerp, and were accompanied by all the necessary paper work. They were said to have originated in South Africa, and the South African export documents were also available.

The diamantaire and his colleagues, however, believed that the diamonds were not South African. One or two might have been Angolan or even Sierra Leonean, but they were fairly certain that all six had come from Namibia.

The South African Diamond Board scrutinizes all official diamond imports, but as with other countries, diamonds can be smuggled into, as well as out of the country. Panel members visited the Diamond Board and examined the available documentation on a sample import from Zambia. Along with the South African paper work, the importer had supplied a Zambian export certificate. The fact that Zambia mines few diamonds notwithstanding, the 'certificate' was a document that could have been created in five minutes with a rubber stamp and a laptop. Facilities for checking back with Zambian authorities as to its authenticity, or the authenticity of the information contained in it were minimal.

G. Conclusions on Sierra Leone diamonds

110. The issue of Sierra Leone's conflict diamonds is complex, but it is not unfathomable. As will be noted later in this report, it is tied to the wider issue of *illicit* diamonds, and this has been recognized in a forthright manner by the diamond industry in WDC documentation. A detailed proposal has also been made by the WDC for a 'System for International Rough Diamond Export and Import Controls', which should be an excellent basis for intergovernmental discussions.

111. At the beginning of 1999, the industry denied the problem of conflict diamonds, and governments appeared to be taking decisive action. The situation has now changed, with the most specific initiatives coming from industry. Despite the 1 December 2000 passage of General Assembly resolution 55/56 on the need for a global system of 'rough controls', the intergovernmental process may take several more months of negotiation. For this reason, where Sierra Leone is concerned, it will be imperative for the Security Council to take early steps on broadening the existing Sierra Leonean certification system throughout West Africa at least.

II. International diamond statistics and transit countries

A. General

112. The Panel sought to determine how illicit diamonds from Sierra Leone find their way into the legitimate trade. One line of enquiry was to compare diamond export statistics of neighbouring producer countries with their known mining production capacity, to see if exports significantly exceed production capacity. Another was to review the import statistics of major trading centres for anomalies. One such anomaly is the 33.6 million carats said to be of Liberian origin that were imported into Belgium in the five years between 1995 and 1999. This volume is far beyond Liberian production capacity, and exceeds official Liberian exports by so much, that investigation was clearly warranted (see also paragraphs 122 to 130 below).

113. A major difficulty in tracking the movement of rough diamonds, however, is the inconsistent manner in which the governments of major trading centres record diamond imports and exports. The first issue has to do with the general availability of statistics. Belgian authorities expressed concern to the Panel that Belgium

had been unfairly criticized in the past because it has been so open with its statistics. It was suggested to the Panel that other countries have escaped criticism for importing rough from 'sensitive' countries - either as countries of origin or provenance - simply because they produce no public statistics at all.

114. The Panel went to considerable lengths to obtain rough diamond import statistics from all the major trading centres for the years between 1987 and 1999. With the exception of the Gambia, Côte d'Ivoire and the United Arab Emirates, the Panel was largely successful. We found the following:

Belgium:

Imports a great deal of rough - 183 million carats in 1999, valued at $7,185 million, averaging $39 per carat.

India:

Imports a growing volume of rough, increasing from 52.1 million carats in 1990-91 to 187.2 million in 1998-99, tapering off at 178.4 million carats in 1999-00 and averaging $28 per carat. On average over the past five years, 80 per cent has been imported from Belgium and 15 per cent from the United Kingdom. A tiny volume is imported from the United Arab Emirates and virtually nothing from Africa.

Israel:

Has traditionally imported a small amount of rough - on average less than 12 million carats annually between 1997 and 1999. A tiny fraction of this has come from 'sensitive' countries - about 4,000 carats per annum. On average, 89 per cent of all rough imported into Israel between 1997 and 1999 was from three countries: Belgium, the United Kingdom and Switzerland. This is changing because one Israeli firm, IDI Diamonds, has made proprietorial diamond arrangements with the government of the Democratic Republic of the Congo. Between January and October 2000, Israeli imports of rough from Belgium, the United Kingdom and Switzerland had declined to 77 per cent of the total. Imports of Angolan rough accounted for 10 per cent of the total by weight, and 3.6 per cent by value.

South Africa:

Imports very little rough - approximately 70,000 carats in 1999, valued at $2.2 million. The imports originate in several countries in the region, with a very small amount from West Africa. About half of the total originates in Zambia, a country with very little diamond production of its own.

Switzerland:

Imports very little rough. Total value in 1999 was only Sw F 1.5 million, of which most was of British provenance. None was from 'sensitive' countries. The United Kingdom, however, recorded 41 per cent of its rough imports, valued at £44.8 million in 1999, as having come from Switzerland. The contradiction is explained by the unrecorded flow of large amounts of rough diamonds through Swiss *Freilager* (see paragraphs 116-119 below).

United Arab Emirates:

No data supplied. Belgium recorded imports from the United Arab Emirates of 5 million carats in 1999, up from only 500 carats in 1996. The average value of the diamonds in 1999 was $2.94 per carat.

United Kingdom:

Imports large volumes of rough, about half from South Africa and 40 per cent from Switzerland. Imports very little from 'sensitive' countries - 2,387 carats in 1999.

United States:

Imports a small amount of rough - approximately 8.7 million carats in 1999. The bulk was from the Russian Federation, Switzerland and the United Kingdom. Very little from sensitive countries, although imports from Sierra Leone totalled about 5,000 carats in 1999, roughly 54 per cent of what was officially exported.

B. Provenance and origin

115. Although the Panel received detailed import statistics from each of the major trading centres, there are a number of key differences that make the tracking of rough diamonds extremely difficult. The first has to do with a distinction made between 'country of origin' and 'country of provenance'. Country of provenance refers to the country from which diamonds were last imported; country of origin indicates where they were mined. Statistics on country of provenance are important in the calculation of national trade statistics,

and until recently, little serious attention was paid anywhere to the issue of where diamonds were actually mined.

116. This leads to major anomalies. For example in 1999, British imports of rough unsorted diamonds (code 71021000) totalled £107 million (down from £347 million in 1998). Of this, Switzerland was recorded as the 'country of origin' for 41 per cent or £44.2 million. Switzerland, as a non-producer of diamonds, could only have been the country of provenance, importing the diamonds from another country. Switzerland, however, records the importation of virtually no rough, unsorted diamonds. The total in 1999 was valued at only Sw F 1.5 million, up from Sw F 295,000 in 1998.

117. The difference is explained by the fact that Switzerland has not in the past recorded statistics on diamonds passing through its free trade areas, or *Freiläger*, at Zurich and Geneva airports. The volume of these flows is so great that it would skew national trade statistics, and since no value is added to these diamonds as they pass through Swiss airports, there has, until recently, been no felt need to record the statistics. Those diamonds bound for the United Kingdom thus become 'Swiss' simply by virtue of having passed through a *Freiläger*. The country of origin, which might have been recorded in Switzerland, and passed on to British customs authorities, is thus lost.

118. It should be noted that parcels of rough diamonds passing through a *Freiläger* can be opened, mixed with other diamonds, repackaged for a variety of destinations, and exported as mixed diamonds. Private sector firms working in the *Freiläger* maintain facilities expressly for this purpose, including secure areas with diamond scales and sorting equipment. This sorting and re-invoicing serves to further obscure the origin of diamonds.

119. Origins become even more obscure once diamonds have been sorted and/or partially treated in the United Kingdom. Under this heading (code 71023100), the United Kingdom became the origin of 96.7 per cent of all Swiss imports in 1999. Having become 'Swiss' on the way to the United Kingdom, a huge proportion then becomes 'British' on the way back to Switzerland. Because 96.4 per cent of Swiss diamond exports in 1999 went to Israel, most of these same diamonds thus became 'Swiss' again as far as Israeli import statistics are concerned.

120. India notes the fact that it does not trade in conflict diamonds because 80 per cent of its rough imports come from Belgium and virtually none come directly from Africa. As with the United Kingdom and the United States, however, the operative word is 'directly'. The lack of scrutiny throughout the delivery chain and the stops along the way allow most importing countries to say that they do not import anything from Africa, conflict or otherwise.

121. These examples explain why it is so difficult to determine where diamonds - still in their rough state and moving from one trading or polishing centre to another - are actually mined. It does not explain, however, why the huge volume of diamonds entering Belgium, noted in paragraph 112 above, would have been labelled 'Liberian'. The superficial explanation is that they were of Liberian 'provenance', as clearly they could not have been mined in Liberia. According to this explanation, they would have transited Liberia and become 'Liberian', just as other diamonds transit Switzerland, Belgium or the United Kingdom, becoming 'Swiss', 'Belgian' or 'British' in the process.

C. Case studies: Liberia, Gambia, Guinea and Côte d'Ivoire

Liberia

122. The highest estimates of current Liberian production capacity do not exceed 150,000 carats per year. In 1987, the country exported a record high 295,000 carats, at an average value of $37 per carat. The Liberian Ministry of Lands, Mines and Energy informed the Panel that 1998 official diamond exports totalled only 8,000 carats, valued at $800,000 (i.e. $100 per carat). In the same year, Belgium recorded imports from Liberia by 26 companies, totalling 2.56 million carats, valued at $217 million (i.e. $85 per carat). One company alone, 'Company A', imported 168,456 carats, estimated at $87 million, or $516 per carat.

123. In 1999, official Liberian exports grew slightly, to 8,500 carats, at an average value of $105 per carat. 'Liberian' imports into Belgium declined to 1.75 million carats, but the stated value increased to $247 million, or $140 per carat. Company A's imports declined to 75,000 carats, valued at $57 million. This

represented a significantly higher per carat value, however, of $760.

124. Up to mid-August 2000, 'Liberian' imports into Belgium were 340,000 carats, valued at $50 million, or $147 per carat. Company A, however, which told the Panel at the end of October that it had not imported anything from Liberia for six months, showed imports of only 6,696 carats. But valued at $12.88 million, this represented a remarkable $1,923 per carat.

125. Belgium has recently changed the data requirements on the import licences that it requires for each shipment. It now requires that each import shipment state the country of provenance, as well as the country of origin. A review of selected Company A import licences, however, showed that diamonds *far in excess of the quality or quantity available in Liberia* had been imported as Liberian in provenance *and origin*. Invoices from 'Liberian' firms - none on the list of licencees provided by the Liberian government - accompanied the Belgian import licence.

126. A physical check of the Monrovia street addresses given by most of these firms revealed that there were no such companies, and no such addresses. Courier firms in Monrovia, however, have in the past been instructed to route correspondence for these addresses to the International Trust Company (ITC), which in January 2000 changed its name to the International Bank of Liberia Ltd. Since then, mail addressed to the companies in question has been forwarded to the newly established Liberian International Ship and Corporate Registry (LISCR) which now handles the Liberian maritime registry. This means that if the companies in question are more than shells, they are not physically present in Liberia, and none of the diamonds in question were either mined in, or passed through, Liberia. It also means, however, that there is an intimate Liberian connection with these deceptive diamond transactions.

127. The name of retired U.S. Army General Robert A. Yerks occurs frequently in discussions about Liberian diamond transfers. He was involved with ITC and is currently a senior official in LISCR.

128. Companies and individuals in Belgium importing 'Liberian' diamonds in 1999 and/or 2000 include (but may not be limited to) the following: Abadiam, Afrostars Diamonds, Ankur Diamonds, Arslanian, Cukrowicz, Diam 2000, Diambel, Diminco, Fink Diam, Hardwill Diamonds, I.D.H. Diamonds, Korn & Partners, Krishna Dimon, Lewy-Friedrich, Marjan Diamonds, Omega Diamonds, Orion, Samir Gems, Sana Diam, Shainydiam, Shallop Diamonds, Shour, Siddhi Gems, Sima Diamond, Soradiam, Starough, Sunshine Gems, Sygma Diamonds, Symphony Gems, Vijaydimon, Vitraag and Widawski.

129. Companies supposedly exporting diamonds from Liberia, which are not on the Government list of licencees and which do not have a physical presence in Liberia include Alcorta Trading, Barnet Trading Co., Diamond Trading Associates, Fairlib Enterprises Inc., Kamal Daoud S.A., Nybelgo Company, and Pier Enterprises S.A. There are undoubtedly more. While the diamonds listed on the invoices of these companies are not necessarily conflict diamonds, companies with a genuine physical presence in Liberia have also provided invoices to Belgian importers. Without further investigation, it is difficult to say whether they are exporting genuine Liberian diamonds, or smuggled Sierra Leonean diamonds. Whatever the case, they are engaged in illicit behaviour, because they do not have Liberian export licences and because their exports far exceed official Liberian exports.

130. Much has been made in recent months about the need to make a clearer distinction between 'country of origin' and 'country of provenance'. The volumes in question regarding Liberia, however, taken in conjunction with Liberia's own figures and its limited capacity to act as a trading centre, indicate that a large proportion of the diamonds entering Belgium under the Liberian label represent neither country of origin nor country of provenance. Most are illicit diamonds from other countries, taking advantage of Liberia's own involvement in the illicit diamond trade, its inability or unwillingness to monitor the use of its name internationally, and the improper use of its maritime registry. The larger illicit trade provides Liberia with a convenient cover for the export of conflict diamonds from Sierra Leone.

The Gambia

131. The Gambia produces no diamonds, but in recent years it has become a diamond-exporting nation. In 1998, Belgium recorded imports from the Gambia of 449,000 carats valued at $78.3 million, an average value of $174 per carat. The volume declined the following year to 206,000 carats, with an average per carat value of $234. Up to mid-August 2000, there was

a more significant decline: 82,000 carats valued at $17.6 million ($214/ct).

132. All of the Belgian importers of 'Gambian' rough also import from one or more of the producing countries in the region: Sierra Leone, Guinea and/or Liberia. 'Company B' explains its importation of $50 million in 'Gambian' diamonds between 1 January 1998 and mid-August 2000 as follows: There are many traders - 'marakas' - moving up and down the coast with diamonds. The Gambia has become a 'mini-Antwerp', and reputable companies are simply buying what is available on the open market. When pressed, however, Company B acknowledges that these diamonds have entered Gambia for one of two reasons: either to evade taxes in the countries where they have been mined, or to avoid detection as conflict diamonds. Knowledgeable diamantaires say that 90 per cent of 'Gambian' diamonds are from Sierra Leone.

133. The Gambia did not respond to the Panel's repeated requests for information on diamond imports and exports, so the Panel does not know whether exports from the Gambia are consistent in any way with official Gambian imports.

Guinea

134. Official Guinean exports were consistent over the 1990s, averaging 380,000 carats per annum, at $96 per carat. The panel examined Belgian, United States, British, Swiss and Israeli import statistics, and found that the only significant imports were into Belgium. This is consistent with information provided by the Government of Guinea.

135. Belgian trade statistics, however, record average imports over the same period of 687,000 carats per annum, with an average value of $167 per carat (see table 1). In other words, Belgium appears to import almost double the volume that is exported from Guinea, and the per carat value is almost 75 per cent higher than what leaves Guinea.

136. It is unlikely that the difference between Guinean exports and Belgian imports could be explained by the 'country of provenance' issue, because Guinea does not officially import diamonds, and any official Sierra Leone diamonds in transit through Conakry do not enter Guinean trade statistics.

137. There are three possible explanations. The first is that the difference is made up of diamonds exported unofficially from Guinea. These could be either Guinean diamonds, or diamonds smuggled in from Sierra Leone and elsewhere (as in the Gambian case). Such diamonds could be 'conflict diamonds' or simply 'illicit diamonds'. The second possibility is that Guinea's name is applied to diamonds entering Belgium from another country or countries, as in the Liberian case. A third possibility is that it is a combination of the first two.

138. United States statistics show a different problem, if they have been correctly presented to the Panel. They record a very small volume of Guinean imports by weight, but the value is over $1,300 per carat. This is a major anomaly in the sense that it is roughly 14 times higher than the average per carat value exported from Guinea. This statistic requires further investigation if it is to make sense (United States officials are currently reviewing the matter).

Côte d'Ivoire

139. A problem similar to that of Guinea exists in relation to Côte d'Ivoire. According to the authoritative United States Geological Survey, Côte d'Ivoire exported approximately 75,000 carats per annum in the mid-1990s. Very little rough is imported into the United Kingdom, the United States or Israel from Côte d'Ivoire. Belgium, however, imported 6 million carats between 1994 and 1999, about 13 times more than was apparently produced in the country. The average per carat was $92.

140. Export figures for Côte d'Ivoire have been taken from the United States Geological Survey because Côte d'Ivoire did not respond to the Panel's request for information.

D. Conclusions on statistics and transit countries

141. The statistical anomalies surrounding the Liberian example demonstrate that the Liberian name, and most likely the names of other countries, has been widely used by individuals and companies wishing to disguise the origin of rough diamonds. These diamonds could include conflict diamonds from Sierra Leone, the Democratic Republic of the Congo and/or Angola, but the volumes are such that additional explanations are required. These include the breaking of legally binding

Table 1
Comparison of Guinean exports and imports into trading and polishing centres 1993-1999

Year	*Guinea exports*		*Belgian imports from Guinea*		*United States imports from Guinea*		*United Kingdom imports from Guinea*	
	Carats (000)	US$ (000)	Carats (000)	US$ (000)	Carats (000)	US$ (000)	Carats (000)	US$ (000)
1993	374	29 582	1 030	178 020	3	4 400	-	-
1994	381	28 412	876	165 770	1	1 600	-	-
1995	452	34 719	780	26 210	2	3 400	-	-
1996	364	35 471	440	83 670	1	2 700	-	-
1997	380	46 930	533	108 120	3	10 000	-	-
1998	355	40 657	596	116 100	17	11 000	-	-
1999	357	40 207	554	127 120	10	16 400	84	5 098
Total	**2 663**	**255 978**	**4 809**	**805 010**	**37**	**49 500**	**84**	**5 098**

Sources: Bureau National d'Expertise des Diamants et Autres Gemmes, Guinea; Ministry of Economic Affairs, Belgium; U.S. Department of Commerce; HM Customs & Excise, Tariff & Statistical Office, UK. No Guinean diamonds appear in Israeli, Indian or Swiss import figures. Negligible amounts are imported into South Africa. UK£ converted at US$ 1.5.

commercial contracts, tax evasion and money laundering. Mostly, such diamonds are illicit in nature. Because the volume in illicit diamonds is so high, it is not difficult for the smaller volume of conflict diamonds to become lost in the larger numbers.

142. A country like Liberia, whose name has been used with or without its knowledge by illicit traders, can thus conceal its own trade in illicit or conflict diamonds behind the larger rackets being perpetrated by others.

143. The variations in the way major trading centres record the importation of rough diamonds add to the ease with which illicit and/or conflict diamonds can be laundered.

III. 'Conflict' diamonds and 'illicit' diamonds

A. The issue

144. 'Conflict diamonds' have been defined as diamonds that originate in areas controlled by forces fighting the legitimate and internationally recognized government of the relevant country. De Beers has estimated that in 1999 the total volume of conflict diamonds was approximately $255 million, less than 4 per cent of the world's rough diamond production of $6.8 billion. Of these, $35 million were said to originate in the Democratic Republic of the Congo, $150 million in Angola, and $70 million in Sierra Leone. Where the Democratic Republic of the Congo is concerned, some researchers place the figure at about twice the De Beers estimate. Where Sierra Leone is concerned, a more detailed discussion can be found in paragraphs 78-80 above.

145. In its search for conflict diamonds from Sierra Leone, the Panel discovered that there is a much greater volume of 'illicit' diamonds, and that distinguishing between the two is extremely difficult. As noted above, part of the difficulty in understanding diamond statistics is that once rough diamonds arrive in Europe, they are sorted, traded across borders, re-sorted and re-traded - possibly many times - before they actually get to a cutting and polishing centre.

146. This obscuring of origins makes the diamond industry vulnerable to a wide variety of illicit behaviour. It is no secret that diamonds are stolen from virtually every mining area in the world. Diamonds have long been used as an unofficial hard currency for international transactions. As with other precious commodities, they lend themselves to money laundering operations. Because they are small and easily concealed, they are readily moved from one country to another for the purpose of tax evasion, money laundering or to circumvent trade agreements. Virtually all of these diamonds eventually find their way into the legitimate trade. And all of these illicit transactions are made easier by the industry's long history of secrecy. Secrecy in the diamond industry is understandable for security reasons, but secrecy also obscures illicit behaviour.

147. At an October 2000 intergovernmental meeting on conflict diamonds in Pretoria, a senior diamond evaluator and trade consultant estimated that 20 per cent of the worldwide trade in rough diamonds is illicit in nature. The Panel raised this issue in its travels, and the figure was widely accepted as a reasonable estimate.

148. Official rough diamond production in 1999 was approximately $6.85 billion. About 65 per cent of this was controlled in one way or another by De Beers, which maintains that its diamonds are clean. If it is assumed that no De Beers diamonds are 'illicit', the illicit 20 per cent of $6.85 billion must all be flowing through the part of the business that trades on 'outside markets'. This would mean that a surprising 57 per cent of the outside market is comprised of illicit diamonds. Two other possibilities exist. The first is that the 20 per cent estimate is wrong. The second is that if it is not wrong, De Beers, too, must accept some responsibility for the trade in illicit diamonds. Whatever the explanation, this is an area that warrants further study, because it has the potential to taint and damage the entire industry.

149. Regardless of the explanation, it became obvious to the Panel that there is a very large trade in illicit diamonds, and that conflict diamonds are only a part of this trade. They are, in essence, illicit diamonds that have gone septic. They are, however, difficult to distinguish from illicit diamonds, because they are often traded in the same way, and by many of the same people who have been involved in the illicit trade for generations. When asked how conflict diamonds enter the system, dealer after dealer told the Panel that it happens in the same way that illicit diamonds enter the system. Someone brings them to a trading centre - Israel or New York, for example - either smuggling them past customs or making a false declaration. Either way, they will find a buyer. Or, a dealer will go to Africa and buy them from rebels, or from a third or fourth party. He will then take them to Europe, Israel or New York, and smuggle them past customs or make a false declaration.

B. Conclusion on conflict versus illicit diamonds

150. The Panel visited three import-export regulatory centres: in South Africa, Israel and Belgium. Given the huge volume of diamonds moving in and out of these three countries alone, even a five or tenfold increase in the size of these regulatory operations would probably not be enough to deal effectively with the issue of illicit diamonds. A global certification scheme with teeth would help, because it would require much better documentation on the part of exporters and importers, and would make false declarations less possible. A global certification scheme would not completely stop smuggling, but the anomalies described in the Liberian, Gambian and Guinean case studies above would not have been possible, and such a system would help put an end to conflict diamonds in Sierra Leone.

IV. A final note on diamonds

A. Some recommendations from Sierra Leone

151. A two-day conference on diamonds, organized by the Network Movement for Justice and Development, the Civil Society Movement of Sierra Leone and several other Sierra Leonean organizations, coincided with the visit to that country of the Panel. This 'Just

Mining' conference made several recommendations, which the Panel wishes to draw to the attention of the Security Council. The recommendations were based on widespread public frustration in Sierra Leone with the de facto division of the country into two parts - one with diamonds, controlled by the RUF, and one largely without diamonds, controlled by the government. The conference was vocal in its criticism of UNAMSIL's mandate and/or its inability to change this situation. UNAMSIL, the conference concluded, was actually complicit in dividing the country and in ensuring that the RUF can mine diamonds with impunity. The conference recommended the following:

- that the Government of Sierra Leone engage a private military/security firm to bring about a military solution to the problem as soon as possible;
- that the United Nations assume responsibility for the key diamond areas and manage them as a United Nations Trust Territory;
- that UNAMSIL be deployed to the diamond areas to protect them from future incursions and from illicit mining;
- that the Sierra Leone diamond industry be closed down completely for a period of five years in order to encourage non-Sierra Leoneans involved in the industry to leave, and to provide the government and people with the time required to devise new investment codes and more open systems of transparency and accountability, so that the diamond industry can benefit the people of the country, rather than the few who have enjoyed its rewards over the past three decades.

152. The Panel includes these civil society recommendations in the report for two reasons. The first is that they reflect widespread public concern in Sierra Leone about the connection between diamonds and the war, and about the lack of progress in resolving the conflict. The second is that they reflect a widespread concern, shared by the Panel, that once the conflict is settled, Sierra Leone's diamond industry should not be allowed to lapse back into the corruption and mismanagement of earlier years. The objective of the United Nations peacekeeping effort, the new diamond certification scheme, and the work of the Panel of Experts should not be a return to the status quo of earlier years. Rather the aim should be to help Sierra Leone move forward to a situation in which diamonds are a widespread public good, becoming an engine for development and peace rather than one of war and destruction.

B. Further research

153. There is reason to believe that a certain amount of diamonds have been traded by the RUF with officers of the former West African peacekeeping force, ECOMOG, in return for cash or supplies. The Panel did not see this issue as part of its mandate and so did not examine it in any detail, but repeated accounts, many of them first-hand eyewitness reports, made the stories impossible to ignore. If the issue is thought to be important, it will require further investigation.

154. The issue of 'illicit' diamonds and their implications for the diamond industry, as well as for the tracking and discovery of conflict diamonds, is an important one. This report has touched on it, but ongoing research and monitoring may be required in order to do the subject justice.

V. Recommendations on diamonds

155. In order to better regulate the flow of rough diamonds from producing countries, a global certification scheme based on the system now adopted in Sierra Leone is imperative. It will give added impetus to current discussions on this subject if the Security Council endorses the concept of a global certification system.

156. In the short run, and in the absence of a global system, it is recommended that certification systems similar to that adopted by Sierra Leone, be required of all diamond exporting countries in West Africa, with special and immediate reference to Guinea and Côte d'Ivoire, as a protective measure for their indigenous industries and to prevent their exposure to conflict diamonds. If this has not been completed within a period of six months, the Security Council should impose an international embargo on diamonds from these countries.

157. The Panel further recommends a complete embargo on all diamonds from Liberia until Liberia demonstrates convincingly that it is no longer involved in the trafficking of arms to, or diamonds from, Sierra Leone. The embargo should not be lifted until this

condition has been met, and until Liberia too has joined the proposed standardized certification system.

158. The Security Council should place an immediate embargo on trade in all so-called Gambian diamonds until such time as its export of diamonds can be reconciled with imports.

159. Other diamond exporting countries in the region have been designated by the Belgian government as 'sensitive' countries, where special attention to imports is required. In addition to the three countries suffering directly from conflict diamonds and those mentioned above, these include Uganda, Central African Republic, Ghana, Namibia, the Congo (Brazzaville), Mali, Zambia and Burkina Faso. This list is commended to other major importing countries, including Switzerland, South Africa, India, Israel, the United Kingdom and the United States. Invoices from these countries need to be thoroughly checked, and where there is doubt about either provenance or origin, parcels should be seized until the authorities have checked the facts. Delays in processing will increase the cost of doing business and will encourage better paper work. Forfeiture of improperly labelled goods will discourage the habit decisively.[4]

160. Urgent attention should be given to extending a Sierra Leone-style certification system to these countries as soon as possible.

161. The United Nations, the World Diamond Council and the import control authorities of all rough diamond importing countries should be vigilant for other exporting countries, or for countries in the future, where trade in diamonds has little to do with domestic production or legitimate trading.

162. It is essential, and a matter of urgency, that major trading centres (Belgium, the United Kingdom, Switzerland, South Africa, India, the United States and Israel) come to a common agreement on the recording and public documentation of rough diamond imports that is consistent from one country to another, and that clearly designates the country of origin in addition to country of provenance.

163. An annual statistical production report should be compiled by each exporting country and gathered into a central annual report, compiled by the World Diamond Council and/or by the certification body that is expected to emerge from the 'Kimberly Process' of intergovernmental negotiation. Countries of origin must be distinguished from countries of provenance.

164. If diamonds are mixed and/or re-invoiced in a free trade zone, it is imperative that the government of that country take responsibility for verifying the *bona fides* of the diamonds before they are re-exported. This is especially important with regard to Switzerland because of the large volumes that pass through its *Freiläger*, losing their identity in the process. The same may be true of the United Arab Emirates. In other words, all countries importing rough diamonds must be part of the anticipated 'rough controls' system.

165. Throughout its work, the Panel was struck by the widespread breaking of Security Council sanctions on both weapons and diamonds. If existing and future sanctions are to be effective, the Security Council will require an ongoing capacity to monitor their observance and conduct research. Where diamonds are concerned, there have been three Expert Panels examining many of the same issues concurrently. There has been useful collaboration, but there has also been overlap and duplication. Considering the complexity and the changing nature of the conflict diamond issue the Panel recommends that in future, it would serve the Security Council better to have an ongoing focal point within the United Nations to monitor adherence to sanctions, as well as progress towards the specific goals stated in General Assembly resolution 55/56 of 1 December 2000.

166. The attention of the Security Council, the Government of Sierra Leone, donor agencies and other interested parties is drawn to the observations and recommendations about corruption and the need for probity contained paragraph 151-152 and in annex 5. Without serious reform and due diligence within government and government agencies in Sierra Leone, international efforts to assist will be wasted.

[4] Note: the term 'sensitive country' is not used in this report to suggest wrong-doing. It is taken from a Belgian government report which seeks to protect these countries, Belgium and the industry from problems to which they are all clearly vulnerable. Namibia, for example, is one of the leaders in the fight against conflict diamonds.

Part two
Weapons

I. Weapons and the RUF

A. Background

167. Small arms play an important role in sustaining conflicts, in exacerbating violence, in contributing to the displacement of innocent populations and threatening international law, and in fuelling crime and terrorism. Recognizing this, the Security Council and the international community have tried to constrain their proliferation in West Africa. The Security Council placed Sierra Leone under a variety of travel, economic and military sanctions after the May 1997 coup. Following the return of the elected government, the arms embargo was amended in June 1998 to lift sanctions against the government. Security Council sanctions placed on Liberia in 1992 remain in place.

168. On 31 October 1998, members of the Economic Community of West African States (ECOWAS) adopted 'The Declaration of a Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa'. The Moratorium came into force on 1 November 1998, for a period of three years and the Programme for Coordination and Assistance for Security and Development (PCASED) supports its implementation. PCASED is designed to monitor the moratorium and to establish a database and training programme for law enforcement agencies of the signatory countries. The programme is supported by the United Nations Development Programme, the United Nations Department of Political Affairs and the United Nations Institute for Disarmament Research.

169. Despite the ECOWAS Moratorium (also called the Mali Moratorium), West Africa is still awash with small arms. Serious problems with weapons have emerged, not only in countries that are victims of warfare, but also in major cities across the entire subregion. The rapidly increasing incidence of armed violence is a consequence. The outbreak of civil conflict in Senegal, Guinea-Bissau, Niger, Liberia and Sierra Leone during the past decade has increased the demand for light weapons.

170. Guerrilla armies receive weapons through interlinked networks of traders, criminals and insurgents moving across borders. Arms also travel from one unstable zone to another, and rebel movements or criminal gangs in one country sell their arms to groups they are aligned with elsewhere. In other instances governments may see opportunities for their own regional ambitions in West Africa, supplying rebel groups with weapons in order to further these ambitions.

171. Systematic information on weapons-smuggling in the region is non-existent, and information which could be used to combat the problem on a regional scale - through ECOWAS or through bilateral exchanges - is generally not available. Few States in the region have the resources or the infrastructure to tackle smuggling, a situation that creates opportunities for the smuggling of weapons across all major borders in the region.

172. Officials acknowledge the existence of a large, and largely uncontrolled informal weapons trade and outright illicit trafficking. The extent of such practices, far beyond normal levels of informal trade, aggravate corruption and criminalization throughout the region.

173. In Sierra Leone, the RUF depends almost exclusively on light weaponry, although it does have access to more sophisticated equipment. Lists of equipment turned in under the Disarmament, Demobilization and Rehabilitation (DDR) Programme include those of eastern European manufacture as well as American, Belgian, British and German types. In May 2000, at the time the Lomé peace process collapsed, roughly 12,500 weapons and 250,000 pieces of ammunition had been collected at the different weapons storage centres that had been initiated eight months earlier. The weapons included the following:

- 496 pistols,
- 4,000 AK-47 'Kalashnikov' rifles,
- 1,072 AK-74 rifles,
- 940 G-3 Rifles,
- 440 FN-FAL rifles,
- 451 SLR rifles,
- 140 Machine Guns,
- 217 Grenade Launchers,
- 1,855 Grenades,
- 45 Mortars.

174. These numbers represent only a small fraction of the weapons that are actually in the hands of the rebels. The very poor quality and the age of the weapons turned in suggest that the rebels have held onto the newest and best weapons at their disposal. Despite the setback in May, former rebels, child soldiers and Civil Defence Force members keep presenting themselves at the different DDR centres for demobilization and for the turning over of their weapons.

175. Many of the weapons are old and have been obtained from different sources, both regional and international. Provided that suitable ammunition is available, however, a ten-year-old firearm can still be lethal. One of the few positive elements of the war in Sierra Leone is that there has been little or no use of anti-personnel land-mines in the conflict.

176. With no standardized marking system for small arms and the proliferation of great amounts of weapons of this nature, the arms flow to rebel groups on the African continent remain largely uncontrolled.

B. Sources of RUF weaponry within Sierra Leone

177. The RUF needs a steady flow of arms and ammunition. Although the arms inventoried by the DDR programme originate in many countries, most of the rifles are of eastern European design. Variants of the AK-47 Kalashnikov are the most readily available. Although a Russian design, the AK-47 is today produced in so many countries, and in so many variants, that a thorough study of model numbers, serial numbers and factory markings would be required in order to determine their precise origin. After this, it might be possible to determine the supply trail of the weapons, but even this would be complicated by the fact that many may have been bought on the open market, and may be second- or even third-hand weapons.

178. The RUF have captured many weapons during confrontations with the Sierra Leone Army, ECOMOG and UNAMSIL forces. A forthcoming study made available to the Panel by the Small Arms Survey, a Geneva-based NGO, provides a well-documented summary overview of known seizures of weapons by the RUF. The Panel was able to verify most of the incidents reported in the survey.

179. Supplies obtained by the RUF from intervening forces deployed in Sierra Leone include, for example:

- considerable amounts of weaponry seized during confrontations with the government of Sierra Leone armed forces. A lack of training and discipline led to soldiers abandoning their weapons for ready seizure by the rebels. SLA soldiers are also reported to have sold weapons and ammunition to the rebels;
- a significant number of weapons, including hundreds of rifles, 24 machine guns, 10 mortars, 20 rocket propelled grenades, several tons of ammunition and three armoured personnel carriers were seized when the rebels detained and disarmed a Guinean UNAMSIL unit in January 2000. Guinean units serving under ECOMOG had also been disarmed during previous ambushes and seizures;
- Kenyan and Zambian UNAMSIL contingents were disarmed when they were taken hostage by rebels in May 2000. In these cases, great amounts of rifles were lost to the rebels, as well as eight armoured personnel carriers and several other military vehicles.

II. Liberian support to the RUF

A. General

180. The personal connections between President Charles Taylor and Foday Sankoh go back ten years to their training in Libya, to their combined efforts on behalf of Blaise Campaore in his seizure of power in Burkina Faso, and to Sankoh's involvement in Charles Taylor's struggle as head of the NPFL to take power in Liberia in the early 1990s. These events are well documented, and President Taylor told the Panel that he was a close friend of Foday Sankoh. President Taylor denies unequivocally, however, that he or his government have provided any training to the RUF, any weapons or related matériel, any Liberian facilities or territory for staging attacks, or a safe haven.

181. He told the Panel that RUF leader Sam Bockarie's presence in Liberia was a gesture of goodwill on Taylor's part, in order to allow the RUF to work together for a peaceful settlement in Sierra Leone after

Foday Sankoh and Bockarie had found themselves unable to work together.

182. The Panel, however, found unequivocal and overwhelming evidence that Liberia has been actively supporting the RUF at all levels, in providing training, weapons and related *matériel*, logistical support, a staging ground for attacks and a safe haven for retreat and recuperation.

B. Training

183. The RUF has received regular training in Liberia at Gbatala near Gbanga and elsewhere. Hundreds of ex-combatants and many former RUF leaders have confirmed this in oral testimony and in writing. Sufficient corroborative documentary evidence in the form of written reports of RUF commanders to Foday Sankoh is also available. RUF soldiers have been trained alongside Liberia's Anti-Terrorist Unit (ATU), and RUF combatants are frequently used by President Taylor for his own personal security details. Liberian officers and men are also actively assisting the RUF in Sierra Leone, serving as combatants, trainers and liaison officers.

184. The panel received information on the presence of Ukrainian, Burkinabe, Nigérien, Libyan and South African nationals in Liberia for training purposes. The training was given to non-Liberian nationals for deployment in RUF-territory in Sierra Leone, and for action in recent clashes on the Guinea border. Early in 1999, a significant improvement of tactics and use of weapons by the RUF rebels was noted in Sierra Leone. It was more than a coincidence that this happened immediately after foreigners started training these elements in Liberia.

185. In addition, the police interrogation statements of some of arrested RUF officials and the oral statements of former rebels interviewed by the panel confirm the presence of foreign mercenaries including South African and Ukrainians training and fighting alongside RUF.

South Africans providing training in Liberia

186. Fred Rindel, a retired officer of the South African Defence Force and former Defence Attaché to the United States, has played a key role in the training of a Liberian anti-terrorist unit, consisting of Liberian soldiers and groups of foreigners, including citizens of Sierra Leone, Burkina Faso, Niger and the Gambia.

187. The panel interviewed Mr. Rindel extensively. Rindel was contracted as a security consultant by President Charles Taylor in September 1998, and training started in November 1998. The contract included consultancy services and strategic advice to convert Charles Taylor's former rebel militia into a professional unit. The Anti-Terrorist Unit is used in Liberia to protect government buildings, the Executive Mansion and the international airport, and to provide VIP Security and the protection of foreign embassies. The numbers trained were approximately 1,200. Because of negative media attention, Rindel cancelled his contract in Liberia in August 2000.

188. In 1998, ECOMOG identified a plane, registration number N71RD, owned by a South African company, Dodson Aviation Maintenance and Spare Parts, as having carried weapons to Robertsfield in September of that year. The plane is a Gulfstream 14-seater business jet that cannot be used for arms transport, but there are other relevant connections. Fred Rindel was the owner of Dodson. The company was closed on 31 December 1998, but during the period under investigation, the plane was leased to, and operated by, Greater Holdings (Liberia) Ltd., a company with gold and diamond concessions in Liberia. The plane was used for the transport of the Greater Holdings' staff to and from Liberia.

189. Niko Shefer is a businessman located in South Africa, and was Chairman/CEO of the Greater Diamond Company (Liberia) Ltd, a subsidiary of Greater Holdings. Shefer denies diamond dealings in Liberia and Sierra Leone, except for two exploration agreements with the Liberian government for concessions in Mano and Lower Lofa. When the employees of their diamond operations in Mano came under attack, Shefer discussed security with President Taylor, and suggested bringing in private security specialists from South Africa. This resulted in the security contract with Mr. Rindel. In the end, Shefer's explorations were unprofitable and were abandoned. The American partners in Greater Diamonds were at that time under investigation by American authorities for tax evasion and money laundering, using assets in Liberia. Shefer met with RUF leader Foday Sankoh in South Africa in February 2000 (see also paragraph 97).

190. Fred Rindel states that he has never had any involvement with diamonds in Liberia and was never approached by anyone in Liberia with regard to diamonds. According to the Liberian Minister of Mines, however, Rindel was involved in a diamond project with the son of President Taylor, Charles Taylor Jr. Rindel includes a reference to De Dekker Diamonds (Pty) Ltd. on his business card. Rindel was also contracted as consultant on a mineral and geological survey of the gold potential in the Mano and Nimba areas in Liberia. Geologists from South Africa were hired for the purpose. Rindel acquired the gold and other mineral rights for two concessions on behalf of a Bermuda based company, the Bermuda Holding Corporation, a company in which President Charles Taylor and some of his relatives hold interests. Mr. Rindel was also negotiating with a number of international companies to form joint ventures with the Bermuda corporation.

191. Mr. Rindel denies bringing other South Africans to Liberia as trainers. During his time in Liberia, however, there were several other South Africans there, including Meno Uys, Gert Keelder and Faber Oosthuyzen. These men and others worked under contract in Liberia in 1998, 1999 and 2000 as security trainers. Their headquarters is at Gbanga. Another South African, Karl Alberts, is flying helicopters for the Liberian armed forces. Neither Rindel nor the other South Africans applied for authorization under the South African Regulation of Foreign Military Assistance Act (1998), because, in his case, according to Rindel, his services were purely of a protective nature and did not include any combat training, or training of armed forces in Liberia.

C. Safe haven

192. There are innumerable accounts in RUF written reports, in oral testimony given to the Panel, and in police and military intercepts, of high-level RUF meetings with President Taylor, RUF travel to Monrovia, RUF strategy meetings at the Executive Mansion, RUF travel on Liberian helicopters, RUF staging bases at Camp Schefflein, Voinjama and Foya-Kama. Liberia has provided the families of many senior RUF officials with a safe haven. Eyewitness accounts speak of RUF fighters being treated in Monrovia hospitals. Most recently, Gibril Massaquoi, acting as RUF spokesman on issues relating to the 10 November 2000 cease-fire, has been interviewed in, and has made his press statements from Monrovia.

D. Weapons and related *matériel*

193. Police and military intercepts, civilian accounts, the written reports of RUF commanders to Foday Sankoh and oral testimony provided to the Panel by ex-combatants provide lengthy and detailed descriptions of a constant flow of weapons and supplies entering Sierra Leone from Liberia. Weaponry and supplies include mortars, rifles, RPGs, satellite phones, computers, vehicles, batteries, food and drugs. Most of the supplies are sent by road or helicopter to Foya-Kama, a few miles from the Sierra Leone border near Kailahun, and then they are trucked across the border into RUF territory for onward distribution.

III. The role of other countries

194. Weapons can be procured directly from producing factories, or from surplus stocks of the armed forces in different countries. It is mainly through arms merchants or brokers that weapons are purchased for use by non-State actors. In the case of the RUF, private brokers and arms merchants are the principal suppliers, but most large arms and ammunition supplies only reach the RUF indirectly, through countries with governments sympathetic to the rebels.

195. The Panel has found conclusive evidence of supply lines to the RUF through Burkina Faso, Niger and Liberia. Weapons supplied to these countries by governments or private arms merchants have been diverted for use in the conflict in Sierra Leone. Côte d'Ivoire, under previous administrations, was sympathetic to the Liberian government and, indirectly, to the RUF in Sierra Leone. The Ivorian relationship dates back to the training of RUF and Liberian rebels in Côte d'Ivoire in the early 1990s.

196. Typically, the movement of the arms from a supplying country to the RUF will entail several stop-overs and cross-border shipments. This should expose arms dealers, especially those breaking United Nations sanctions, to controls, legal procedures and regulations on the export, import and transit of military equipment. Since weapons have moved into the region and across borders with impunity, it can only be assumed that the parties involved - the brokers and suppliers of arms to

the RUF - have obtained cooperation from border and customs inspectors, and licensing government departments in order to circumvent United Nations sanctions and normal border controls.

197. The President of Burkina Faso is a close ally of President Charles Taylor and Burkina Faso has acknowledged the presence of over 400 Burkinabe soldiers in Liberia during the time Taylor was leading his rebellion in 1994 and 1995. Provision was made in the government budget to cover salaries for the services rendered during this period. Burkina Faso has repeatedly denied the involvement of its nationals in supporting the RUF. Eyewitnesses and former RUF combatants, however, confirm the active involvement of Burkinabes with the RUF. A Burkinabe, 'General' Ibrahim Bah (a.k.a. Baldé) - referred to in paragraphs 72-73 - handles much of the financial, diamond and weapons transactions between the RUF, Liberia and Burkina Faso. He shuttles regularly between Monrovia and Ouagadougou. Burkina Faso's involvement in weapons transfers is detailed below.

IV. The role of aircraft in supplying the RUF

A. Direct flights into RUF territory

198. Having no access to the sea, the RUF can import weapons and related *matériel* only by road or by air. The role of aircraft in the RUF's supply chain is vital, especially over the past two years, as their sphere of influence in Sierra Leone has widened. Given the state of the country's roads, it would be impossible to supply RUF operations such as those undertaken at Pamelap in Guinea late in 2000, for example, without aerial support.

199. Most Sierra Leonean landing strips in the areas under RUF control were destroyed or have not been maintained because of the war. The landing strip at Yengema is probably not operational, and although the airstrip at Magburaka was rebuilt during the AFRC period in 1997 and is now in rebel territory, there are few reports of fixed-wing aircraft landing there or elsewhere in RUF-held territory.

200. The absence of reports in itself, however, is not very meaningful, as there is a total lack of governmental oversight of Sierra Leonean airspace, due to insufficient infrastructure at the country's airports and in the subregion in general (see Part III, below).

201. This problem notwithstanding, it is known that the RUF have been supplied with weapons by helicopter on a sporadic basis before 1997 and on a regular basis since then. Helicopters originating in Liberia land at Buedu, Kailahun, Makeni, Yengema, Tumbudu, Yigbeda and elsewhere in Kono District. More recently, newly delivered Mi-8 transport helicopters have been used for this purpose, including for the delivery of surface-to-air (SA-7) shoulder-launched missiles.

B. Weapons flights into Liberia

202. Virtually all of the weapons shipped into RUF territory are trans-shipped through at least two other countries between their point of origin and RUF territory in Sierra Leone. In virtually all cases, the last transit point before shipment into Sierra Leone is Liberia. The weapons reach Liberia in a variety of ways - occasionally by sea but most frequently by air. The Panel went to considerable lengths to document some of these shipments in order to demonstrate how the supply chain works.

Case study: Burkina Faso delivery of Ukrainian weapons

203. A shipment of 68 tons of weapons arrived at Ouagadougou on 13 March 1999. It included 715 boxes of weapons and cartridges, and 408 boxes of cartridge powder. The inventory also included anti-tank weapons, surface-to-air missiles, and rocket propelled grenades and their launchers.

204. This shipment has now been well documented. Documentation provided in April and June 1999 by the Ukraine government to United Nations Sanctions Committees shows that the weapons were part of a contract between a Gibraltar-based company representing the Ministry of Defence of Burkina Faso, and the Ukrainian State-owned company Ukrspetsexport. An aircraft of the British company Air Foyle, acting as an agent for the Ukrainian air carrier Antonov Design Bureau, shipped the cargo, under a contract with the Gibraltar-based company, Chartered Engineering and Technical Services. A Ukrainian licence for sale of the weaponry was granted after

Ukrspetsexport had received an end-user certificate from the Ministry of Defence of Burkina Faso.

205. The end-user certificate was dated 10 February 1999. The document authorized the Gibraltar-based company to purchase the weapons for sole use of the Ministry of Defence of Burkina Faso. The document also certified that Burkina Faso would be the final destination of the cargo and the end-user of the weaponry. The document is signed by Lieutenant-Colonel Gilbert Diendéré, head of the Presidential Guard of Burkina Faso. During a visit by a Panel Member to Ukraine, this sequence of events was reconfirmed.

206. The authorities of Burkina Faso, in correspondence with the United Nations Sanctions Committee on Sierra Leone, denied allegations that the weapons had been re-exported to a third country, Liberia, and during a visit to Burkina Faso the Panel was shown weapons that were purportedly in that shipment.

207. The weapons in question, however, were not retained in Burkina Faso. They were temporarily off-loaded in Ouagadougou and some were trucked to Bobo Dioulasso. The bulk of them were then trans-shipped within a matter of days to Liberia.

208. Most were flown aboard a BAC-111 owned by an Israeli businessman of Ukrainian origin, Leonid Minin. The aircraft bore the Cayman registration VP-CLM and was operated by a company named LIMAD, registered in Monaco. Minin was, and may remain, a business partner and confidant of Liberian President Charles Taylor. He is identified in the police records of several countries and has a history of involvement in criminal activities ranging from east European organized crime, trafficking in stolen works of art, illegal possession of fire arms, arms trafficking and money laundering. Minin uses several aliases. He has been refused entry into many countries, including Ukraine, and travels with many different passports. Minin offered the aircraft mentioned above for sale to Charles Taylor as a Presidential jet, and for a period between 1998 and 1999, it was used for this purpose. It was also used to transport arms.

209. Regarding the shipment in question, the aircraft flew from Ibiza in Spain to Robertsfield in Liberia on 8 March 1999. On 15 March, two days after the arrival of the Ukrainian weapons in Ouagadougou, the plane flew from Monrovia to Ouagadougou. On 16 March the plane was loaded with weapons and flew back to Liberia. On the 17th, it returned to Ouagadougou. After a flight to Abidjan in the Ivory Coast, the plane flew again from Ouagadougou to Liberia with weapons on the 19th. On the 25th the plane flew again from Liberia to Ouagadougou and returned on the same day with weapons. On the 27th the plane flew again to Ouagadougou and from there to Bobo Dioulasso for the weapons that had been trucked there. The aircraft made three flights over the next three days between Bobo Dioulasso and Liberia. On 31 March the plane flew back to Spain. Because the plane had a VIP configuration, it had only limited cargo capacity, which is why so many flights were necessary.

210. A second plane, an Antonov operated by a Liberian company named Weasua, is reported by eye-witnesses to have flown part of the cargo to Liberia from Bobo Dioulasso.

211. Minin's BAC-111 was used for an earlier shipment of weapons and related equipment from Niamey Airport in Niger to Monrovia. This occurred in December 1998, shortly after Minin purchased the plane and started to operate it in the region. On 22 December 1998, the BAC-111 made two trips from Niamey to Monrovia. On the second trip, it took a consignment of weapons, probably from existing stocks of the armed forces of Niger. The weapons were off-loaded into vehicles of the Liberian military. A few days after these events, the RUF rebels started a major offensive that eventually resulted in the destructive January 1999 raid on Freetown.

C. The inner circle of the Taylor regime

212. President Charles Taylor is actively involved in fuelling the violence in Sierra Leone. He and a small coterie of officials and private businessmen around him are in control of a covert sanctions-busting apparatus that includes international criminal activity and the arming of the RUF in Sierra Leone. Over the years - before President Taylor's inauguration and after - this group has contracted foreign businessmen for the financing, sourcing or facilitating of these covert operations. The sanctions-busting is fed by the smuggling of diamonds and the extraction of natural resources in both Liberia and areas under rebel control in Sierra Leone. In addition, the sovereign right of Liberia to register planes and ships, and to issue

diplomatic passports, is being misused in order to further the operations of this group.

213. The role of Liberia as a trans-shipment platform for arms to the RUF is crucial. However, arms are brought into the region from elsewhere. Many businessmen close to the inner-circle of the Liberian presidency operate on an international scale, sourcing their weaponry in Eastern Europe. The Panel focused on a limited number of individuals, but there are many more examples of the significant presence of criminal organizations in the region.

214. A key individual is a wealthy Lebanese businessman named Talal El-Ndine. El-Ndine is the inner-circle's paymaster. Liberians fighting in Sierra Leone alongside the RUF, and those bringing diamonds out of Sierra Leone are paid by him personally. Arms shippers and brokers negotiate their payments in his office in Old Road, Monrovia. El-Ndine also brings foreign businessmen and investors to Liberia, individuals who are willing to cooperate with the regime in legitimate business activities as well as in weapons and illicit diamonds. The pilots and crew of the aircraft used for clandestine shipments into or out of Liberia are also paid by El-Ndine. They are mostly of Russian or Ukrainian nationality and they invariably stay at the Hotel Africa in Monrovia.

215. The manager of this hotel is a Dutch national named Gus Van Kouwenhoven. Van Kouwenhoven started his hotel and a gambling business in Liberia in the 1980s. He is also a member of President Taylor's inner circle, through his contacts with Taylor's economic advisor, Emmanuel Shaw. Shaw, a former Liberian finance minister, owns a number of facilities at Robertsfield, including all the hangars. Van Kouwenhoven is responsible for the logistical aspects of many of the arms deals. Through his interests in a Malaysian timber project in Liberia, he organizes the transfer of weaponry from Monrovia into Sierra Leone. Roads built and maintained for timber extraction are also conveniently used for weapons movement within Liberia, and for the onward shipment of weapons to Sierra Leone.

216. Simon Rosenblum, an Israeli businessman based in Abidjan, has logging and road construction interests in Liberia. He, too, is very close to the Liberian President and carries a Liberian diplomatic passport. His trucks have been used to carry weapons from Robertsfield to the border with Sierra Leone.

217. Minin and Van Kouwenhoven are linked to Liberia's timber industry, which provides a large amount of unrecorded extrabudgetary income to President Taylor for unspecified purposes. Three companies are involved: Exotic and Tropical Timber Enterprise (ETTE), Forum Liberia and the Indonesian-owned Oriental Timber Company.

V. Liberia and international transport networks

A. General

218. Security Council resolution 1306 (2000) mandated the Panel to consider the adequacy of air traffic control systems in the region for the purpose of detecting flights of aircraft carrying arms and related *matériel* across national borders in violation of United Nations sanctions. Effective monitoring of airspace and a proper control system at airports is vital for the detection of illicit trafficking. In this context, the Panel found that regional air surveillance capacities are weak or totally inadequate in detecting, or in acting as a deterrent to the arms merchants supplying Liberia and the RUF. Weak airspace surveillance in the region in general, and abusive practices with regard to aircraft registration, create a climate in which arms traffickers operate with impunity. (Technical notes on this subject are contained in Part III of this report.)

219. There are many examples of this problem. On 18 July 2000 an Ilyushin 18D with Liberian registration EL-ALY requested permission to land at Conakry in Guinea. The aircraft was operated by a company named West Africa Air Services. The crew were citizens of the Republic of Moldova and the plane had flown from Kyrgyzstan to Burkina Faso, then to Guinea and finally to Liberia. The cargo documents listed seven tons of 'spare parts to equipment of aircraft' and the client was a company named Kipo Dersgona in Conakry, Guinea. This 'Guinean' company is not listed in the register of companies in Guinea. The plane is also not among those listed for the Panel by the Liberian authorities as having Liberian registry nor is it listed by the International Civil Aviation Organization.

220. The case was still under investigation at the time of writing. Tracing a plane carrying an unknown registration number, however, is practically impossible, and the plane was probably using multiple

registrations, shifting rapidly from one to another in order to avoid detection. Such clear abuses of international aviation procedures are not easily detected unless navigation controllers and national airport authorities in several countries cooperate, and actively track and share information on the whereabouts and operations of such aircraft.

B. Aircraft registered in Liberia

221. Because of its lax licence and tax laws, Liberia has for many years been a flag of convenience for the fringe air cargo industry. A company incorporated in Liberia can locate its executive offices in another country and conduct business activities anywhere in the world. Names of corporate officers or shareholders need not be filed or listed, and there is no minimum capital requirement. A corporate legal existence can be obtained in one day. Liberia also has lax maritime and aviation laws that provide the owners of ships and aircraft with maximum discretion and cover, and with minimal regulatory interference. Businessmen in several countries compete with each other to attract customers for these offshore registrations. The system has led to a total disregard for aviation safety and a total lack of oversight of Liberian registered planes operating on a global scale.

222. The Panel requested documentation on all Liberian registry aircraft from Liberian Civil Aviation Authorities and the Ministry of Transport, but was told that the documentation had been lost or was destroyed as a consequence of the Liberian civil war. A schedule of Liberian-registered aircraft provided to the Panel by the Ministry listed only 7 planes. No documentation was available on more than 15 other aircraft that had been identified by the Panel. Many aircraft flying under the Liberian flag, therefore, are apparently unknown to Liberian authorities, and are never inspected or seen in the country. Many operate from airports in Central Africa (N'Djili in the Democratic Republic of the Congo, Luanda in Angola or the national airports of the Congo (Brazzaville), Rwanda, Kenya and Gabon) or in the Middle East (United Arab Emirates, Tripoli in Libya or Khartoum in Sudan).

223. Several countries (including Belgium, South Africa, the United Kingdom and Spain) have in recent years banned Liberian registered aircraft from their airspace and airports, in part because of fraudulent activity in relation to their registration. The illegal registration of more than one plane with the same number, for example, is a practice frequently mentioned by airport inspectors throughout Africa. It is also widely acknowledged that Liberian EL-registry planes operating in Africa and from airports in the United Arab Emirates are commonly used for illicit arms shipments.

C. Key individuals in Liberia's aviation registry

224. A Kenyan national named Sanjivan Ruprah plays a key role in Liberia's airline registry and in the arms trade. Before his involvement in Liberia, Sanjivan Ruprah had mining interests in Kenya, and was associated with Branch Energy (Kenya). Branch Energy owned diamond mining rights in Sierra Leone, and introduced the private military company, Executive Outcomes to the government there in 1995. Ruprah is also known as an arms broker. He has worked in South Africa with Roelf van Heerden, a former colleague from Executive Outcomes, and together they have done business in Rwanda, the Democratic Republic of the Congo and elsewhere. Ruprah was once in charge of an airline in Kenya, Simba Airlines, until investigations into financial irregularities forced the company's closure.

225. In November 1999, Ruprah was authorized in writing by the Liberian Minister of Transport to act as the 'Global Civil Aviation agent worldwide' for the Liberian Civil Aviation Regulatory Authority, and to 'investigate and regularise the ... Liberian Civil Aviation register'. The ostensible aim of Ruprah's investigation was to 'suspend and/or cancel the registration of those aircraft which have had illegal certificates issued outside the knowledge of the government'. During its visit to Liberia the Panel asked the Transport Ministry, the Ministry of Justice and police authorities about Ruprah and his work, but was told that Ruprah was not known to them.

226. Sanjivan Ruprah travels using a Liberian diplomatic passport in the name of Samir M. Nasr. The passport identifies him as Liberia's Deputy Commissioner for Maritime Affairs.

227. A British national, Michael G. Harridine, was previously appointed by the Liberian Minister of Transport to act as Chairman of the Liberian Civil Aviation Regulatory Authority, through an office in the

United Kingdom. Harridine told the Panel that he is no longer involved with the registration of Liberian aircraft. He acknowledges, however, that irregular activities in the registration of Liberian aircraft were taking place.

228. An airline named Santa Cruz Imperial/Flying Dolphin, based in the United Arab Emirates, has used the Liberian registry for its aircraft, apparently unknown to Liberian authorities until 1998. It also used the Swaziland registry until the Government of Swaziland de-registered them in 1999. A total of 43 aircraft were de-registered, operated by the following companies: Air Cess, Air Pass, Southern Cross Airlines, Flying Dolphin and Southern Gateway Corporation. According to the Government of Swaziland, 'while the names may be different, some of these companies are one and the same and did not operate from Swaziland'. When it discovered that some of the aircraft were still operating, the Government of Swaziland sent information to the Civil Aviation Authorities in the United Arab Emirates where some of the aircraft were based, in part because of airworthiness concerns, and in part because it believed that the operators may have been involved in arms trafficking. Flying Dolphin is owned by Sheikh Abdullah bin Zayed bin Saqr al Nayhan, a business associate of Victor Bout.

229. Victor Bout is a well-known supplier of embargoed non-State actors - in Angola, the Democratic Republic of the Congo and elsewhere. Viktor Vasilevich Butt, know more commonly as Victor Bout, is often referred to in law enforcement circles as 'Victor B' because he uses at least five aliases and different versions of his last name. He was born in Dushanbe, Tajikistan, had air force training in Russia, and reportedly worked as a KGB officer shortly before the end of the Cold War. He then went into private business, setting up airline companies throughout Eastern Europe. Today Victor Bout oversees a complex network of over 50 planes, tens of airline companies, cargo charter companies and freight-forwarding companies, many of which are involved in shipping illicit cargo. Bout himself lives in the United Arab Emirates.

230. Bout has used the Liberian aviation register extensively in connection with his company, Air Cess Liberia. The United Nations Panel investigating the violations of United Nations embargoes on UNITA in Angola identified 37 arms flights, all with false end-user certificates and false flight schedules, conducted with Liberian-registered planes operated by Victor Bout, between July 1997 and October 1998. Victor Bout is a resident of the United Arab Emirates and many of his airline companies are based there, providing charter services to companies in more than ten countries. His planes, however, are registered elsewhere - in Equatorial Guinea, the Central African Republic and elsewhere.

231. Centrafricain Airlines is one of the many companies controlled by Bout and his Air Cess/Transavia Travel Cargo group. Early in 2000, an investigation into fraud concerning the registration of an aircraft operated by Centrafricain Airlines was initiated in the Central African Republic, because some aircraft flying these colours were operating without a licence.

232. An Ilyushin 76, registered in Liberia in the name of Air Cess Liberia in 1996, was later registered in Swaziland. It was subsequently removed from the Swaziland register by the Civil Aviation Authority because of irregularities. The plane then moved to the register of the Central African Republic, where it obtained the designation TL-ACU in the name of Centrafricain Airlines. The aircraft sometimes carries the registration of the government of the Congo (Brazzaville). As with other Bout aircraft, the plane is based in Sharjah in the United Arab Emirates.

233. This plane was used in July and August 2000 for arms deliveries from Europe to Liberia. This aircraft and an Antonov made four deliveries to Liberia, three times in July and once in August 2000. The cargo included attack-capable helicopters, spare rotors, anti-tank and anti-aircraft systems, missiles, armoured vehicles, machine guns and almost a million rounds of ammunition. The helicopters were Mi-2 and Mi-17 types. A few months earlier, two Alouette-3 helicopters had been flown in by a Libyan government plane, but these helicopters were replaced by the newly arrived ones and are thought to be in Liberia no longer. (A note on European sources of weaponry is included in paragraph 247, below.) These deliveries, all made after the collapse of the Lomé Peace Agreement, are especially worrisome.

234. The transactions were set up by Victor Bout in the United Arab Emirates, and by Gus van Kouwenhoven, mentioned in paragraph 217, above. The plane used for the helicopter shipment was the

Ilyushin 76, TL-ACU. Bout worked with a freight forwarder in Abidjan. A non-existent company 'Abidjan Freight' was set up as a front by Sanjivan Ruprah, to conceal the exact routing and final destination of the plane. The official routing was 'Entebbe-Robertsfield-Abidjan' but the cargo was unloaded in Robertsfield. The weapons were sourced from Central Europe and Central Asia.

D. Offices in the United Arab Emirates

235. Virtually all of Bout's companies, regardless of where they are registered, operate out of the United Arab Emirates. Sharjah Airport is used as an 'airport of convenience' for planes registered in many other countries, such as Swaziland, Equatorial Guinea, the Central African Republic and Liberia. In October 1998, 15 planes of Santa Cruz Imperial/Flying Dolphin, all registered in Liberia but operated from Sharjah, were temporarily grounded by the Liberian Aviation Authority. The planes have also been under investigation in Swaziland and in South Africa, and were finally barred from airports in these countries.

236. The authorities in the United Arab Emirates are aware of the seriousness of the issue and told the Panel that they are in the process of taking measures that will make it more difficult for aircraft registered elsewhere to remain in the United Arab Emirates for more than a year without a local inspection. Better registration and safety inspections would perhaps make such aircraft more airworthy, but they do not address the issue of gun-running. The concerns raised by the Panel have been raised before in the UAE, and it is not clear that any serious action has been taken.

VI. Other issues

A. The role of customs in exporting and transit countries

237. In the case of the July and August 2000 deliveries of military helicopters and heavy calibre missiles, the Panel did not obtain conclusive information on the exact source of supply. In general, however, the Panel believes that initiatives should be taken to enhance the capacity of countries in Eastern Europe to monitor arms exports more carefully. It is hard to conceal something the size of an Mi-17 military helicopter, and the supply of such items to Liberia cannot go undetected by customs authorities in originating countries unless there are false flight plans and end-user certificates, or unless customs officials at points of exit are paid to look the other way. The constant involvement of Victor Bout's aircraft in arms shipments from Eastern Europe into African war zones suggests the latter. A serious investigation into the capacity of licensing and monitoring authorities in Eastern Europe is therefore warranted.

238. Where West Africa is concerned, any aircraft flying from Eastern Europe must make at least one fuel stop halfway through the trip. At these refuelling airports, cargo could be inspected and illicit goods detected. In addition, arms shipments in violation of United Nations sanctions often pass through countries neighbouring the embargoed State. A third possible inspection of the cargo could occur there. There have been few significant cases, however, of aircraft with weapons being grounded in Eastern Europe, at important fuelling points such as Cairo, Nairobi or Entebbe, or anywhere in West Africa.

239. The strengthening of air surveillance or border controls alone is not enough to stop the problem of illicit arms flights. Coordination and feedback between any country of origin and any country of destination for international military cargo shipments is needed, and customs and airport authorities can play an equally important role in the implementation of sanctions. The World Customs Organization has designed a standardized, single document that could harmonize and standardize the procedure for the declaration and inspection of cargo at border crossings, ports or airports.

B. The role of airport authorities and inspectors

240. Aircraft that land or ship cargo are obliged to file for a foreign operating licence. The directorate of each airport is responsible for inspecting the legitimacy of all arriving planes and their operators. Here are two possible levels of inspection that can be used to deter illegal arms shippers. The filing of false flight plans, the use of fake aircraft registration, and the background of a plane's operator can all be scrutinized at these levels. Some of the arms traffickers and the planes they use are well known.

241. The use of multiple registration numbers for one plane, or the changing overnight from one register to another is a practice that should be viewed with suspicion by airport authorities worldwide. Victor Bout and other operators transporting illicit goods have been able to get away with such practices in far too many countries. In a few cases he has attracted minor fines, but not enough to stop his lucrative alliances with warlords, rebel leaders and criminals in many African countries.

242. Although some countries have temporarily or permanently stopped aircraft registered in Liberia from entering their airspace, the Liberian register continues to be used fraudulently. The practice has clearly been organized from Liberia in cooperation with shrewd businessmen abroad, and Liberian planes remain prominent in many African countries, particularly in countries at war.

C. The non-observance of moratoria and embargoes

243. Signatories to the Wassenaar Arrangement, which includes some of the world's most significant producers of arms, including small arms and ammunition, have agreed on a voluntary basis to participate in weapons and ammunition export controls. The signatories also agreed to abide by the ECOWAS Moratorium, and to restrain their arms exports to West Africa. The Panel deplores the fact that Ukraine, a signatory to the Wassenaar Arrangement, and Burkina Faso, a signatory to the ECOWAS Moratorium, have shown neither restraint nor due care and diligence in their arms transactions, and were involved in a major arms deal only months after signing these agreements. Furthermore, the arms were diverted to Liberia for use by the rebels in Sierra Leone, in gross violation of the spirit of the ECOWAS-Moratorium and of the United Nations sanctions imposed on Liberia and Sierra Leone.

244. The ECOWAS Moratorium does not cover illicit trafficking. However from 30 November to 1 December 2000 a Ministerial Conference was held under the auspices of the Organization of African Unity, in Bamako, Mali. A declaration was adopted on an African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons. The signatories agreed to enhance the capacity of the OAU's member States to identify, seize and destroy illicit weapons and to put in place measures to control the circulation, possession, transfer and use of small arms and light weapons and the institutionalization of training programmes to control and eradicate the circulation of illicit arms in Africa.

245. Military cargo should always be accompanied by an export licence, an end-user certificate, an airway bill, a pro-forma invoice and a cargo manifest, together with a detailed description of the items in the cargo. The revised 1996 Kyoto Convention on Customs is an adequate basis for this improved procedure, but the Convention awaits ratification and implementation of United Nations Member States. A single globally adapted document accompanying military cargo would provide customs officers or exporting, transiting and importing authorities with much greater clarity on the precise nature of the cargo, and the parties involved in the handling, shipping, facilitating or buying and selling the weaponry. As a first step, urgent ratification of the Convention by all United Nations Member States is necessary.

D. Further research

246. Financial assets are at the heart of all criminal enterprise. Lost workers and equipment can always be replaced if financial assets are not targeted. Because of time constraints, the Panel could not look into the assets of RUF leaders, their sponsors and the members of the organized crime groups that supply them. Further investigation is required to identify, trace, freeze and confiscate these assets.

247. Because of time constraints, the Panel was unable to fully investigate the original source (i.e. producing countries) of weapons that contravene the Security Council embargoes in question. As noted below (paragraph 250), one outstanding query involves an incident in Kazakhstan. Another involves a Moldova-based company named Renan.

248. On various occasions prior to the arrival of UNAMSIL in Sierra Leone, Nigerian ECOMOG troops lost weapons to the RUF when they fell victim to rebel ambushes. During the December 1998 siege of Kono, for example, the rebels captured a great number of ECOMOG weapons, including a number of armoured vehicles. In addition, however, the Panel heard an overwhelming number of reports on Nigerian

ECOMOG troops exchanging weapons with the RUF for cash, diamonds, food or other goods. The information was considered reliable, but in order to verify or disprove these allegations, further investigation will be required.

249. During its work, the Panel obtained information on connections between the RUF and rebels in Guinea-Bissau, and with UNITA representatives in West Africa. The evidence, however, was not conclusive, and needs more research, preferably with cooperation from law enforcement and border control authorities in the region.

250. An accomplice of Victor Bout, a Russian citizen named Oleg Grigorovich Orlov, is the subject of a government investigation in Kazakhstan into the smuggling of two Mi-8T helicopters out of the country. According to the Government of Kazakhstan, Orlov is active in the arms markets of the Confederation of Independent States, Syria, Sri Lanka, Pakistan, North Korea and certain African countries, including Eritrea. He is associated with the following companies: Dunford-Avia Progress Ltd. (Cyprus), Global Omarus Technology Ltd. lately renamed EMM Arab System Ltd. (Cyprus), Euroasian Financial Industry Group (Singapore and Malaysia), Belmont Trading and Gulfstream. Further investigation of Orlov and his association with Victor Bout could shed light on an important source of illegal weapons flows into Africa.

251. On 7 December 2000 the panel was informed by Ugandan authorities that Ugandan Customs had recently seized a consignment of arms, believed to be destined for Monrovia. Ugandan authority had been granted for air transport of the consignment from Entebbe to Conakry for the use of the Guinean Ministry of Defence. The flight plan, however, showed that the real destination of the plane was Monrovia. Further information is expected.

VII. Conclusions regarding weapons and the RUF

252. Liberia is actively breaking Security Council embargoes regarding weapons imports into its own territory and into Sierra Leone. It is being actively assisted by Burkina Faso. It is being tacitly assisted by all countries providing such weapons, by countries allowing weapons to pass through or over their territory without question, and by countries providing a base for the aircraft used in such operations.

253. The registration of aircraft in Liberia is clearly connected to illegal activities that go beyond the economic rationale for the offshore registration of aircraft or crews. The use of registrations bought in Liberia on an ad hoc basis and for short periods, without inspection of the plane or its operators, is clearly intended to circumvent the identification of planes that are used for illicit purposes. Victor Bout, Sanjivan Ruprah, Leonid Minin and Sheik Abdullah bin Zayed bin Saqr al Nayhan are key to such illicit practices, in close collaboration with the highest authorities in Liberia.

254. In summary, the RUF is able to obtain large quantities of arms, military equipment and related *matériel* as a result of the following key factors:

- the purchasing power it derives from the sale of conflict diamonds;
- the willingness of some major arms producing countries to sell weapons with disregard as to the final users;
- the willingness of some countries to provide their end-user certificates and/or to facilitate the safe passage of weapons through their territory;
- the largely unregulated activity of international arms brokers and their intermediaries;
- corruption;
- the inability of Sierra Leone and its neighbours to monitor and control their airspace;
- Liberia's interest in destabilizing its neighbours.

VIII. Recommendations on weapons, transport and air traffic control

255. The Panel strongly recommends that all aircraft operating with an EL-registration number and based at airports other than in Liberia, should be grounded immediately, and until the provisions in the following recommendation are met. This includes planes based in Sharjah and other airports in the United Arab Emirates, in the Congo (Brazzaville), in the Democratic Republic of the Congo, Gabon, Angola, Rwanda and Kenya. Airport authorities and operators of planes registered in Liberia over the past five years should be advised to

keep all their documentation, log books, operating licences, way bills and cargo manifests for inspection.

256. It is further recommended that all operators of aircraft on the Liberian register, wherever they are based, be required to file their airworthiness and operating licences and their insurance documents with the International Civil Aviation Organization's headquarters in Montreal, including documentation on inspections carried out during the past five years. The aircraft of all operators failing to do so should be grounded permanently. Aircraft that do not meet ICAO standards should be grounded permanently.

257. The Security Council, through ICAO, IATA and the WCO should create a centralized information bulletin, making the list of grounded Liberian aircraft known to all airports in the world.

258. Burkina Faso has recently recommended that the Security Council supervise a proposed mechanism that would monitor all arms imports into its territory, and their use, for a period of three years. The Panel endorses this proposal. The Panel also recommends that under such a mechanism, all imports of weapons and related *matériel* into Burkina Faso over the past five years be investigated. The Panel further recommends that any State having exported weapons during this period to Burkina Faso should investigate the actual end-use of these weapons, and report their findings to the Security Council and to the Programme for Coordination and Assistance for Security and Development (PCASED) established under the ECOWAS Moratorium.

259. In view of the sanctions-breaking cases investigated by the Panel and the information gathered in the region, it is recommended that the Security Council encourage the reinforcement of the ECOWAS Programme for Coordination and Assistance for Security and Development (PCASED) with support from Interpol and the World Customs Organization. PCASED should have an active capacity to monitor compliance with arms embargoes and the circulation of illicit weapons in the region.

260. The Security Council should encourage ECOWAS member States to enter into binding regional arrangements between States with common frontier zones, to initiate an effective, common and internationally agreed system of control that includes the recording, licensing, collection and destruction of small arms and light weapons. These bilateral arrangements can be promoted and facilitated through ECOWAS and through the Programme for Coordination and Assistance for Security and Development. A common standard and the management of a database on significant cases of smuggling and sanctions-busting in the region could be developed by Interpol. The IWETS (International Weapons and Explosives Tracking System) programme of Interpol could be used for the purpose of tracking the origin of the weaponry.

261. In this report, the Panel has identified certain arms brokers and intermediaries responsible for supplying weapons to the RUF. A project should be developed to profile these arms brokers with the cooperation of Interpol. Similarly, considering the importance of air transport in the sanctions-busting, profiles of major cargo companies involved in such practices should be developed, with a view to exploring ways and means of further strengthening the implementation of sanctions.

262. Responsibility for the flood of weapons into West Africa lies with producing countries as well as those that trans-ship and use them. The Security Council must find ways of restricting the export of weapons, especially from eastern Europe, into conflict areas under regional or United Nations embargoes. 'Naming and shaming' is a first step, but consideration could be given to an embargo on weapons exports from specific producer countries, just as diamonds have been embargoed from producer countries until internationally acceptable certification schemes have been developed.

263. Current Security Council arms embargoes should be amended to include a clear ban on the provision of military and paramilitary training.

264. Countries in West Africa that are not signatories to the 1989 United Nations Convention on the Recruitment, Use, Training and Financing of Mercenaries should be encouraged to do so.

265. An analysis of the firearms recovered from rebels should be undertaken in cooperation with Interpol, and its International Weapons and Explosives Tracking System. This would help in further identifying those involved in the RUF supply line.

266. The World Customs Organization should be asked to share with the Security Council its views on creating adequate measures for better monitoring and detection

of weapons and related *matériel* to non-State actors and countries under an arms embargo.

267. Consideration should be given to the development of special training programmes on sanctions monitoring for national law enforcement and security agencies, as well as airport and customs personnel in West Africa, and the development of a manual or manuals on the monitoring of sanctions at airports for worldwide use by airport authorities and police services.

268. Consideration should be given to placing specialized United Nations monitors at major airports in the region (and perhaps further afield), focusing on sensitive areas and coordinating their findings with other airports. This would enable better identification of suspect aircraft. It would also create a deterrent against illicit trafficking, and would generate the information needed to identify planes, owners and operators violating United Nations sanctions and arms embargoes.

269. The Security Council should consider ways in which air traffic control and surveillance in West Africa can be improved, with a view to curtailing the illicit movement of weapons. Possibilities include:

- encouraging the installation of primary radar at all major West African airports, and finding the financial support to do so. Only primary radar can independently detect the movement of aircraft;
- an alternative could be 'pseudo radar' which creates a radar environment with the use of powerful means of transmission of air/ground data through satellite;
- requiring the use in the region of a Global Positioning System and requiring aircraft to be equipped with the appropriate avionics, with installation of the corresponding equipment on the ground. This would entail requiring aircraft flying in West Africa to have on board or to be equipped with avionics which could enable controllers on the ground to identify any traffic, anywhere and at any time in their sector;
- encouraging ICAO and other interested agencies to assist States in reinforcing the financial autonomy of bodies established for the management of air navigation services.

IX. Concluding recommendations

270. In this report, the Panel has made a variety of specific recommendations that deal with diamonds, weapons and the use of aircraft for sanctions-busting and the movement of illicit weapons. Many of these recommendations and the problems they address are related to the primary supporter of the RUF, Liberia - its President, its government and the individuals and companies it does business with. The Panel notes with concern that Security Council resolutions on diamonds and weapons are being broken with impunity. In addition to the foregoing, the Panel offers the following recommendations.

271. A travel ban similar to that already imposed on senior Liberian officials and diplomats by the United States should be considered for application by all United Nations Member nations until such time as Liberia's support to the RUF and its breaking of other United Nations sanctions ends conclusively.

272. The principals in Liberia's timber industry are involved in a variety of illicit activities, and large amounts of the proceeds are used to pay for extrabudgetary activities, including the acquisition of weapons. Consideration should be given to placing a temporary embargo on Liberian timber exports, until Liberia demonstrates convincingly that it is no longer involved in the trafficking of arms to, or diamonds from, Sierra Leone.

273. Consideration should be given to creating capacity within the United Nations Secretariat for ongoing monitoring of Security Council sanctions and embargoes. This is imperative to the building of an in-house knowledge base on current issues such as conflict diamonds, as noted in paragraph 165 above, but it is even more important to creating awareness and capacity on problems, which are not likely to be solved in the near future, such as the illicit trade in weapons and related *matériel*.

Part three
Technical note on air traffic control systems in West Africa

I. Background

274. What follows is a technical paper on air traffic control systems in West Africa. Recommendations emanating from this part of the report have been included in the previous section.

275. First, a word on terminology: airspace is divided into lower and upper airspace and into Flight Information Regions (FIRs), which can, as required, encompass Terminal Control Areas (TMAs) or Upper Control Areas (UTAs).

276. An FIR is an airspace with specific dimensions, in which an information service and an alert service are provided. A TMA is a control area established, in principle, at airways crossroads, around one or several important aerodromes. West African airspace is managed either by agencies to which governments have delegated responsibility, or by state-managed administrations. These include the following:

- ASECNA (Agency for the Safety of Air Navigation in Africa and Madagascar) is in charge of the airspaces of Burkina Faso, Côte d'Ivoire, the Gambia, Guinea Bissau, Mali, Mauritania, Niger and Senegal;
- Guinea, Liberia and Sierra Leone have established the Roberts FIR to control their airspace;
- Ghana manages its airspace and that of Benin, Sao Tomé and Togo from the Accra FIR;
- Cape Verde has an extensive oceanic airspace called Sal FIR;
- Nigeria has divided its national airspace in two parts: the Kano FIR to the North and the Lagos FIR to the South.

277. The Panel agreed, for the purposes of this report, to review first the air traffic control systems in West Africa, and then the ones that prevail in the Roberts FIR and the countries under its jurisdiction. For reasons of timing and flight availability, the Panel's expert on the subject was unable to visit the centres in Abidjan, Lagos and Sal Island.

II. Air traffic systems in West Africa

A. Air traffic management

278. The Panel was pleased to note that, contrary to the situation elsewhere, FIRs in West Africa do not strictly follow the contours of national boundaries, and that the delimitation of these FIRs is generally in line with operational requirements.

279. The Panel also noted that the present airspace configuration was redefined to take into account the ICAO (International Civil Aviation Organization) recommendation, which requires states to implement area control as soon as possible, with a view to increasing air traffic safety. A lot remains to be done however, especially in Nigeria, Mali, Mauritania, Niger and elsewhere.

280. The layout of the airways, which transit the Region, connects major airports, or the radio navigational aids, which serve these airports. The heaviest traffic flows are the Gulf of Guinea (Abidjan-Accra-Lagos corridor), then the Dakar/Abidjan axis and the North-South traffic flow. The East-West traffic is less dense. The West African airspace is far from being congested.

B. Communications

281. The most frequently used means for Aeronautical Mobile Service (AMS - air/ground and air/air communications) is the High Frequency (HF), which has an extended range but presents drawbacks on reception, and the Very High Frequency (VHF), whose range is not extended, but which offers greater listening comfort. These technologies operate well on the whole. A study carried out by IATA on this subject in May 2000 shows, on the one hand, that the VHF is increasingly used and has considerably improved, both from the point of view of quality and availability, and

that on the other hand, the HF is still the only available means in several sectors.

282. In several countries in the subregion, the Single Sideband (SSB) is used to provide links between the main airport and the domestic airports.

283. The Aeronautical Fixed Service (AFS), which ensures the transmission of flight plans and other aeronautical messages between specific fixed points, operates fairly well, especially at main airports. Performance has been enhanced by the implementation of the SATCOM (Satellite Communications) Project developed by ICAO and financed by the European Development Fund. SATCOM, which uses VSAT (Very Small Aperture Terminal) technology, has facilitated the implementation of several fixed service and speech circuits in the Region. Many VSAT have been installed in the region, and there are other projects under implementation, especially in the vast airspaces managed by ASECNA.

284. The Fixed Service is often backed up, however, or replaced by the SITA (Société internationale de télécommunications aéronautiques) network, a private network generally used by airlines. The 97% availability threshold recommended by ICAO is often never reached.

285. As regards the ATS/DS (direct speech) circuits based on the use of the public telecommunications network, these seem to be operating better in the ASECNA area (Dakar/Bamako, Niamey/Ouaga, etc) because of the similarity of equipment, than they do outside that area (Bobo/Accra, Bamako/Roberts). These ATS/DS circuits enable two controllers working in adjacent centres to exchange traffic data. Usually, when the ATS/DS circuits do not work, controllers use the HF for the coordination. This practice is not recommended. In short, communications remain a weakness.

C. Navigation

286. The main navigational aids in the region operate fairly well. However, many of them have reached their age limit, especially the Instrument Landing Systems.

287. The VORs (VHF Omni-directional Radio Range), coupled or not with DMEs (Distance Measuring Equipment), are implemented in all international aerodromes and are generally operational. The same is true for the NDBs (Non-directional radio beacons), which are used nearly everywhere. All these ground facilities work towards providing safe navigation in the Region.

D. Surveillance

288. The use of radar is very rare in West Africa. The explanation given to the Panel is that ICAO recommends that states should use radar only if the situation really warrants it. If this is taken as a rule, it would apply only to the Gulf of Guinea States (Côte d'Ivoire, Ghana and Nigeria).

289. Thus Ghana has installed radar in Accra to cover the Western sector of its airspace. A project is presently under way which will enable Ghana to cover its entire airspace, including that of Benin and Togo. In Nigeria, the radar of Lagos is being replaced. That of Abuja operates within a radius of 50 Nautical Miles.

290. A secondary radar system has been undergoing tests in Abidjan for the past few years. Its official commissioning has been delayed because of a problem between the government and ASECNA, the manager of the airspace. It has nonetheless proven very useful. As an example, the Panel was informed that a few hours after a recent takeoff from Accra, an aircraft heading west realized that its navigation instruments were no longer functioning. It therefore decided to land at Accra, its point of departure. Soon after, it was seen on the Abidjan radar screens heading north. The Ivorian controllers were able to guide it safely to its final destination.

291. The Panel was informed that, as part of a surveillance exercise, ASECNA had carried out Automatic Dependent Surveillance (ADS) trials, which had been positive. But for the past two or three years, ASECNA has stopped talking about them.

292. The CNS/ATM (Communication, Navigation, Surveillance/Air Traffic Management) implementation plan (1995-2005) provides for the installation of an ADS in Dakar and in Sal Island to monitor the Oceanic FIRs.

293. The absence of radar is strongly felt and all the aeronautical and/or military authorities questioned by the Panel mentioned the problem. Authorities are frequently informed of violations of their airspace by pilots who come across illegal traffic. They are also

aware that aircraft operators can operate with impunity in their sphere of sovereignty, without their knowledge. At times, it is local authorities or even local individuals who contact them to inform them of an overflight. The military admit that they do not have the means to intercept such traffic, a common practice elsewhere. Training and refresher course were also mentioned as a major requirement.

294. In spite of the absence of radar, West African air traffic services still provide the classic elements of control, which is to prevent collision between aircraft in the air and on the ground, and to speed up and regulate air traffic generally.

III. The Roberts Flight Information Region

A. General

295. The Roberts FIR is a dismemberment of the Dakar FIR. It was established in January 1975 by Guinea, Liberia and Sierra Leone, which decided to manage their airspace jointly. The FIR was named after Roberts International Airport (also known as Robertsfield), which hosted the headquarters at its creation. The headquarters was transferred to Freetown in June 1990 because of the war in Liberia. It has been based in Conakry since June 1997 as a result of the war in Sierra Leone. The Panel also noted that whether in Robertsfield, Freetown or Conakry, the buildings, which have hosted the headquarters and its technical services, are not architectural models. In Conakry, for example, the building where the FIR administration is located is old, tiny and inaccessible. The Flight Information Centre (FIC) is not much better. It is located in a very narrow single room, and the control equipment is old. Everything in the centre dates from an earlier epoch. The controllers complain about unsuitable working conditions.

Air traffic management

296. The Roberts FIR TMA extends 40NM north of Conakry and 99NM south of Monrovia. It therefore encompasses the three airports, and VHF coverage is also provided. The most frequently flown airway is UB 600, which extends from Dakar to Abidjan. Domestic traffic in Guinea, Liberia and Sierra Leone is very low.

297. The Roberts Flight Information Centre is responsible for all overflights and takes charge of flights above 3,000 feet, after takeoff. Upon landing, it transfers traffic to the local control tower when the descending aircraft has reached about 4,000 feet.

298. The air traffic service authorities are aware of the existence of illegal transboundary traffic. They are informed by other pilots who fly in their airspace on the one hand, and by the supervisory authorities of the three countries, on the other.

Communications

299. The Roberts FIC operates a VHF which covers the entire TMA. It uses the HF for links with Freetown and Monrovia.

300. The ATS/DS system is operational with Dakar and Abidjan. An iridium satellite telephone is used with Bamako.

301. Only the Conakry VSAT is operational. Freetown VSAT is out of order. The AFS is not operational in the Roberts FIR.

Navigation

302. Navigational aids (ILS, VOR/DME, NDB) are available at the three airports, except at Roberts (Monrovia) where the VOR has been out of order for a very long time.

Surveillance

303. There is no radar in the Roberts FIR. However, the Panel noted that in the Air Navigation Plan for the African/Indian Ocean Region, the Roberts FIR included the installation of a radar.

B. Guinea

304. In Conakry, the Panel was informed of the following incident: on 10 November 2000, the crew of an Antonov 12, registered in Ukraine and chartered over a period of time by a Guinean airline, was carrying out maintenance work on the aircraft which had been grounded because of a contract dispute. The crew requested permission from the control tower to taxi, in order to test the engines. The authorization was granted. Soon thereafter, the aircraft took off and disappeared into the Guinean sky without a flight plan, without authorization and without answering numerous

calls from the tower. It was only few hours later that the aircraft was reported to be on the ground at Freetown. This is a concrete example of what can happen at airports in the Region.

305. Guinean civil aviation authorities observe that their country is going through a difficult period, and they have taken measures to revise overflight and landing agreements. They have noted an increase in the number of requests for overflight and landing authorizations whose justification leaves much to be desired. While key staff in the Air Traffic Management field have been in the Roberts FIR since its creation, they badly need training in the field of CNS/ATM.

306. Many domestic airports in Guinea are closed to public air traffic due to a lack of passengers or aircraft. Most of the equipment at domestic airports is very old. Where surveillance is concerned, civil aviation authorities note the concern of the Interior Ministry and the Ministry of Defence, and they mention letters from these Ministries informing them of cases of unauthorized overflight. (A copy of one of these letters is attached to this report as Annex 4).

307. The DCA is aware of the presence of small aircraft and helicopters operating near national borders. It also recognizes the existence of several landing strips, either authorized or not. Some are used by the Office of the United Nations High Commissioner for Refugees and World Food Programme.

308. The Panel was authorized to visit a domestic airport, namely the Nzerekore Airport, near the borders with Côte d'Ivoire and Liberia. An NDB is available. The airport is not fenced. The only communications means available at this airport is the common frequency with the other airports, including Freetown and Monrovia.

C. Sierra Leone

309. During discussions with the Panel, the civil aviation authorities of Sierra Leone stressed that military flights in general and Nigerian military flights in particular do not follow air traffic instructions. They do whatever they want in Sierra Leonean airspace. The authorities deplore the absence of radar, which would enable them to know what these military flights actually do on the one hand, and on the other, to detect illegal overflights. They also lack the means to detect weapons and dangerous objects at the airport. Lack of training is also mentioned as a problem.

310. The authorities expressed concern about airports being open to public air traffic without technical personnel, and of them being used for unauthorized private flights. Where Freetown is concerned, they have made arrangements to act in case of unauthorized landing, for example, by requesting fire-fighting trucks to block the runway and informing the appropriate authorities. They gave the Panel a memorandum, copy of which is attached to this report (as Annex 5). The Panel noted a large number of aircraft and helicopters in the public parking lot on the one hand, and the absence of airport security measures, as well as the absence of a fence, on the other. Virtually everything in the field of civil aviation needs to be done or redone in Sierra Leone.

D. Liberia

311. The Panel met with President Charles Taylor and found him to be aware of the shortcomings and deficiencies faced by Roberts International Airport, which only a few years ago, was a very dynamic air traffic control centre. He was concerned by the lack of resources to control his airspace and he said that he had personally approached the United Nations for assistance in acquiring the equipment necessary for effective management of the airport. His request, he said, had yielded no result. Asked about the priority he would give between the acquisition of military equipment and the acquisition of means to improve his airport, he chose the airport.

312. The day before this discussion, the Panel visited Roberts International Airport, which is gradually resuming activity. The airport has many burned out and tumbledown buildings, a consequence of the war. As in Conakry and Freetown, the activities of the control tower are limited to takeoffs and landings. However unlike Conakry and Freetown, there is no link between Robertsfield and the domestic airports of the hinterland, and there is no telephone.

313. The authorities say that they do not have the means to take inventories or to inspect domestic airports. As regards military flights, the air traffic services are not involved in their movements. A separate sector is allocated to them.

IV. Conclusions

314. As noted in previous sections of this report, major shortcomings and deficiencies are obvious in the Roberts FIR and its constituent states in particular, as well as in the other West African FIRs in general. The civil aviation community is aware of this situation, and recommendations and conclusions have been adopted at technical meetings organized by ICAO on this subject. The problem is a lack of resources, despite the existence of more or less autonomous administrations set up to manage airports and air navigation services.

315. Training is a basic requirement in all centres. And finally, it is essential that each country in the region have the ability to identify aircraft operating in its airspace.

Annex 1

United Nations S/2000/756

Security Council

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Letter dated 2 August 2000 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to resolution 1306 (2000), adopted by the Security Council on 5 July 2000, concerning Sierra Leone. In paragraph 19 of that resolution, the Council requested that, after consultation with the Security Council Committee established pursuant to resolution 1132 (1997), I establish a panel of experts composed of up to five members, for an initial period of four months from its effective entry into operation, to collect information on possible violations of the measures imposed by paragraph 2 of resolution 1171 (1998) and the link between trade in diamonds and trade in arms and related *matériel*, and to consider the adequacy of air traffic control systems in the region.

Accordingly, following consultations with the Committee, I wish to inform you that I have appointed the following five experts:

Mr. Martin **Chungong Ayafor** (Cameroon)

Mr. Ian **Smillie** ((Canada), diamond expert)

Mr. Johan **Peleman** ((Belgium), expert on arms and transportation)

Mr. Harjit Singh **Sandhu** ((India), expert from Interpol)

Mr. Atabou **Bodian** ((Senegal), expert from the International Civil Aviation Organization)

I have also selected Mr. Martin Chungong Ayafor (Cameroon) to chair the panel of experts.

(*Signed*) Kofi A. **Annan**

Annex 2

Meetings and consultations

Belgium

Government
Ministry of Foreign Affairs
Cabinet of Development Cooperation
Ministry of Economic Affairs
Ministry of Finance (Customs)
Cabinet of the Secretary of State for Foreign Trade
Diamond Office
Diamond High Council (Hoge Raad voor Diamant)

Private sector
Mackie Diamonds
Omega Diamonds
Rapaport Belgium
Talib Diamonds

Civil society
International Peace Information Service (IPIS)

Burkina Faso

Government
Ministry of Foreign Affairs
Ministry of Energy and Mines
Ministry of Commerce, Industry and Trade
Customs and Excise
National Police
Ministry of Transport
Ministry of Defence
Representatives of the Armed Forces

Civil society
Mouvement Burkinabe des Droits de l'Homme et des Peuples

Private sector
Chamber of Commerce

Diplomatic, bilateral and multilateral agencies
France
United States
Agence pour la Securité de la Navigation en Afrique et à Madagascar (ASECNA)
UNDP

Canada

Department of Foreign Affairs and International Trade
International Civil Aviation Organization (ICAO)

Côte d'Ivoire

Modern Africa Fund Managers
BBC

France

Several Panel members visited Interpol Headquarters in Lyon. Discussions were also held with the Police Attaché in the Paris Embassy of Israel, and the Deputy Air Attaché in the Embassy of India

Ghana

Government
Ministry of Roads and Transport
Civil Aviation Authority
Aviation Security
Air Traffic Services

Diplomatic, bilateral and multilateral agencies
UNDP

Guinea

Government
Ministère des Mines, de la Géologie et de l'Environnement
Direction Nationale de l'Aviation Civile
Agence Nationale de la Navigation Aérienne

Diplomatic, bilateral and multilateral agencies
Canada
France
Ukraine
United Kingdom
World Bank
Office of Roberts Flight Information Region (FIR)
UNDP

Private sector
Société de Gestion de l'Aéroport de Conakry

India

Government
Ministry of Foreign Affairs
Ministry of Commerce
Customs and Central Excise Department
Airport and Customs Officials, Mumbai (Bombay)

Diplomatic, bilateral and multilateral agencies
UNDP

Private sector
Gem and Jewellery Export Promotion Council of India

Media
The Hindu
Indian Express

Israel

Government
Ministry of Foreign Affairs
Ministry of Industry and Trade: Diamonds, Precious Stones & Jewellery Administration

Private sector
Israel Diamond Exchange
Israel Diamond Manufacturers Association
Tacy Ltd.

Media
Market Direct Business Communications
Pazit Ravina

Kenya

African Airlines Association
International Air Transport Association (IATA)
International Civil Aviation Organization (East & Southern Africa Regional Office)
UNDP

Liberia

Government
President Charles Taylor
Ministry of Foreign Affairs
Ministry of Lands, Mines & Energy
Ministry of Planning & Economic Affairs
Ministry of Transport
Ministry of Revenue
Ministry of Defence
Ministry of Justice
Ministry of Finance, Bureau of Customs & Excise
Ministry of Commerce and Industry
Liberian Police
Roberts International Airport

Private sector
Mr. George Haddad
Mars Diamonds

Diplomatic, bilateral and multilateral agencies
European Union
Sierra Leone
UNDP
United Kingdom
United States

Civil society
Centre for Democratic Empowerment
Liberian Interfaith Council
Liberian National Bar Association
Susuku

Media
BBC
The Enquirer
The News

Niger

Government
Ministry of Foreign Affairs
Ministry of Transport
Civil Aviation Authority

Diplomatic, bilateral and multilateral agencies
Agence pour la Sécurité de la Navigation en Afrique et à Madagascar (ASECNA)
UNDP

Mali

Civil Aviation Authority
L'Agence pour la Sécurité de la Navigation en Afrique et à Madagascar (ASECNA)
UNDP

Nigeria

ECOWAS
UNDP officials in Abuja

Senegal

ICAO (West and Central Africa Regional Bureau)

Sierra Leone

Government
Ministry of Foreign Affairs
Ministry of Mineral Resources (in Freetown and Kenema)
Ministry of Trade
Ministry of Justice
Customs and Excise

Port Authority
Airports Authority
Government Gold and Diamond Office
National Security Advisor
Sierra Leone Police (several agencies)
Sierra Leone Army
Sierra Leone Air Wing

Private sector
Diamond Counsellor International
Mackie Diamonds
Sar-Kuma Mining Co. Ltd.
Rex Diamonds
Sierra Leone Airports Authority
Several diamond dealers in Kenema

Diplomatic, bilateral and multilateral agencies
United Nations Special Representative of the Secretary-General
UNAMSIL
- officers and officials in Daru
- a wide range of officers and officials in Freetown

UNV (United Nations Volunteers)
United Kingdom
United States

Civil society
Campaign for Good Governance
Human Rights Watch
Network Movement for Justice and Development
Oxfam GB
Search for Common Ground
Sierra Leone Muslim Congress
Various Chiefs and Elders from Kono District
Civil Defence Force (Kamajor) leaders in Kenema and Daru

Media
BBC
CBS News
NHK Japan Broadcasting Corporation

South Africa

Government
Ministry of Foreign Affairs
Ministry of Justice
South African Diamond Board
Civil Aviation Authority

Private sector
Executive Research Associates
Landmat
Lanseria Airport
Raymond Kramer & Associates

Diplomatic, bilateral and multilateral agencies
UNDP
United Kingdom
United States

Civil society
Institute for Security Studies
Institute for Global Dialogue
South African Institute for International Affairs

Media
Sunday Independent
Khareen Pech

Other

Participation in Inter-ministerial Meeting on Conflict Diamonds gave Panel members access to a wide range of government and private sector firms from Africa, Europe, Israel and North America.

The Panel also participated in an Air Transport Sector Workshop: Controlling the Movement of Illicit Goods, attended by a wide range of experts from civil aviation and South Africa agencies, including the National Anti-Corruption Unit, Air Traffic and Navigation Services and the National Inter-Departmental Structure. The workshop was organized by Saferworld (U.K.) and the Institute for Security Studies in Pretoria.

Spain

Meeting with police officials, Madrid.

Switzerland

Government
Federal Department of Foreign Affairs (United Nations & International Organizations; Financial & Economic Affairs)
Federal Customs Administration (Berne)
Federal Customs Administration (Geneva Free Port)
State Secretariat for Economic Affairs
Federal Office for Police Matters (Money Laundering Reporting Office NCO Division)

Private sector
Acal Amit S.A.
HSB Republic Bank (Suisse) S.A.
Bucher & Co. Publikationen
TAG Aviation

Civil society
Small Arms Survey

Other
United Nations Institute for Disarmament Research

Ukraine

Government
Ministry of Foreign Affairs
State Security Service
National Security Directorate
Border Control Authority
Civil Aviation Authority
Ministry of Defence
National Security Directorate
Ukrspetsexport

Diplomatic, bilateral and multilateral agencies
UNDP

United Arab Emirates

Civil Aviation Authorities
Customs and diamond officials in Sharjah
A visit was also made to Sharjah airport.

United Kingdom of Great Britain and Northern Ireland

Government
Foreign and Commonwealth Office
- Minister of State
- United Nations Department
- Africa Department
- Sanctions Unit
- Arms Control Unit

Department for International Development
Metropolitan Police Service
HM Customs & Excise

Private sector
De Beers
Anaconda Worldwide Ltd.
WWW International Diamond Consultants Ltd.
M. Vainer Ltd.

Civil society
Amnesty International
Global Witness
International Alert
Human Rights Watch

Media
Financial Times
Basel Magazine
Insight News Television
Africa Confidential
Thomas Brian-Johnson

United States of America

Government
Department of State
Defense Intelligence Agency
Department of National Intelligence
USAID

Private sector
World Diamond Council
Rapaport Diamonds

Diplomatic, bilateral and multilateral agencies
Sierra Leone Embassy
Missions to the United Nations:

- Bangladesh
- Belgium
- Canada
- France
- India
- Kazakhstan
- Sierra Leone
- Switzerland
- Uganda
- United Kingdom
- United States

Media
Sebastian Junger
Teun Voeten
The Perspective

Individuals

A number of individuals have played a key part in some of the events noted in this report, or have been mentioned in that connection in media reports. The Panel was grateful to several who agreed to be interviewed:

Andrei Bressler
John Caldwell
Roger Crooks
Omrie Golley
Michael Harridine
Nicholas Karras
Ya'ir Klein
Johnny Paul Koroma
Raymond Kramer
Ze'ev Morgenstern
Richard Ratcliffe
Fred Rindel
Niko Schefer

Note: Given the sensitive nature of the subjects being investigated by the Panel, many individuals spoke under conditions of confidentiality. Several interviews have therefore not been noted.

Annex 3

Key figures in the RUF

Many of the RUF leaders have been given, or have given themselves high-ranking military titles and nicknames or aliases. As many of them are known mainly by the latter, the report has occasionally used these as well as real names, where known. The following are some of the main RUF leaders.

Foday Saybana Sankoh, Chairman of the RUF; currently in prison in Sierra Leone

General Issa H. Sesay, formerly Brigadier, then Battlefield Commander; currently Interim Head of the RUF

Brigadier General Maurice Kallon; currently heading the northern axis of the RUF

Brigadier Dennis Mingo (alias "Superman"), Battle Group Commander, latterly Battle Commander, Lunsar Axis; currently fighting with the RUF

Lt. Col. Gibril Massaquoi, latterly Foday Sankoh's personal assistant; currently acting as RUF Spokesman behind RUF lines

Major General Sam Bockarie (alias "Mosquito"), former Battle Group Commander and "High Command"; currently in exile in Liberia

Colonel Boston Flamoh or Flomoh (alias "Rambo"); killed by RUF comrades in Makeni

Brigadier Mike Lamin, formerly Chief Intelligence Officer; Minister of Trade and Industries until May 2000; currently in prison in Freetown

Eldred Collins, Public Relations Officer, RUF Party; currently in prison in Freetown

General Ibrahim Bah, a Burkinabe, possibly of Gambian origin; senior logistics expert in the movement of weapons and diamonds between Burkina Faso, Liberia and Sierra Leone. Also known as Ibrahima Baldé and Baldé Ibrahima.

Annex 4

Sample communication on aircraft from Guinea

A N A L Y S E :- MESSAGE RADIO CLAIR N°136/DRS/N'Z/2000 DU 03-07-2000 DE LA DIRECTION GENERALE DE SURETE DE N'ZEREKORE,RELATIF AU SURVOL A BASSE ALTITUDE DE LA FRONTIERE KOYAMAH-DARO-II MACENTA VILLE,FAIT PAR LE DIRECTEUR GENERAL DE LA POLICE NATIONALE.

. . . . . .

-- REPUBLIQUE DE GUINEE --
Travail - Justice - Solidarité
-:-:-:-:-:-:-:-

MINISTERE DE LA DEFENSE NATIONALE
ETAT - MAJOR GENERAL DES ARMEES

N° 0882/MDN/EMGA.

(O I T T R A N S M I S)

MONSIEUR LE DIRECTEUR GENERAL DE L'AVIATION CIVILE
à CONAKRY/

POUR NOUS ECLAIRER AUTOUR DE CE SURVOL ".

CONAKRY,LE 06 JUILLET 2000
LE CHEF D'ETAT-MAJOR GENERAL DES ARMEES

LE COLONEL KEBALLA CAMARA
GRAND OFFICIER DE L'ORDRE NATIONAL DU MERITE

AVIATION CIVILE
Enregistré à l'Arrivée Sous
Le N° 1084
Du 18.07.2000

Conakry le 3 - 07 - 2000

10h37

n°c 1584

Message Radio

Origine : D.R.S N'ZEREKORE

Destinataire : D.I.P.N Conakry à titre de Compte rendu
S.I.Z.S. Conakry pour information

Clair N° 138/D.R.S./N'Z/2000 du 3/07/2000 = Honneur vous rendre Compte = nous venons d'être informés ce jour 3/c à 9h45 = Par Monsieur le préfet de Macenta = De ce qu'un avion léger bi-moteur a survolé à 1h45 du m = le long de frontière de Koyama = Dans = N.-O. = ville = Cet avion survolant à basse Altitude n'a pa été identifié par nos Services en place = Compte ten du temps de Survol = Nous pensons qu'il Saisissan les autorités Militaires et de l'Aviation Civile pour être éclairé sur l'identité de l'avion et le moti du Survol = Salutations distinguées = et fin

Signé

D.R.S. N'ZEREKORE

Baldé Alpha Oumar

(Commissaire de police)

opérateur du jour

Jean pierre kalissa

Annex 5

List of problems and recommendations provided by Sierra Leone Airports Authority

Drawbacks in detecting diamonds and arms smuggling through the airports

1. No equipment available to detect diamonds or arms.

2. Security personnel screening passengers not properly trained in diamonds and arms detection.

3. Coordination between various security agencies, viz: airport security, police, UNAMSIL, SLA etc. very inadequate and the sheer numbers represented make the process counter-productive.

4. Social aspects of state security personnel exposes them to temptation; e.g. very low salaries and allowances, poor IQs, poor education, little exposure, etc.

5. VIP protocol and escort extended by state security personnel to too many classes of people, e.g. ministers, parliamentarians, judges, army and police officers, corporate executives, diplomats, etc.

6. Poor integrity of many state security and customs personnel, who use the privilege of their position to directly facilitate smuggling for personal benefit.

7. No facilities for detecting unauthorized aircraft landing elsewhere other than Lungi and Hastings airports.

8. Direct disloyalty of some state security and customs personnel who intentionally facilitate smuggling in order to promote the course of saboteurs and dissidents of the government.

Recommendations

1. To strengthen the aspect of coordination and control by the SLAA through the provision of equipment such as:

(a) X-ray baggage screening equipment (high resolutions) for both Lungi and Hastings Airports;

(b) Surveillance radar equipment at Lungi Airport with a coverage of low altitudes;

(c) Air-to-ground and ground-to-ground state-of-the-art VHF and HF communication equipment to be installed at Lungi, Hastings, Bo and Kenema Airports;

(d) Appropriate training of SLAA personnel in Security, ATC and operations management.

2. To properly screen all state security and customs personnel deployed at the airport to ensure integrity, loyalty, education, intelligence and character.

3. To provide induction courses and appropriate training for all state security and customs personnel on the detection of diamonds, arms, laws relating to international smuggling, etc.

4. Substantially improve the remuneration of all personnel charged with the responsibility of screening passengers.

5. To desist from all VIP protocol except for persons using the Presidential Lounge and the heads of diplomatic mission only.

6. To improve coordination and the exchange of information between various security agencies.

7. To reduce the over-abundance of state security personnel deployed in passenger screening processes and to limit it to a small and well-trained core.

8. To impose stiff penalties of jail terms without any option of a fine, for persons convicted of smuggling or facilitating smuggling through action or omission.